Re 25 Ap. M. Marshall.

No 1.

Legation of the United States,
Yedo, January 2d 1860.

Sir,

I have the honor to transmit herewith, numbered 1, my account for salary from the 1st of October to the 31st of December inclusive, and to inform you, that I have drawn on the Department in the prescribed form for seven hundred and seventy five 54/100 Dollars, which draft is supported by all the required vouchers.

I have the honor to be
Very respectfully
Your obedient servant

Townsend Harris

To the Honourable Lewis Cass
Secretary of State
Washington.

Yedo, January 2d, 1860

Townsend Harris.

No: 1.

1 Enclosure with
3 vouchers

Received.

No. 1. T. Harris - Yedo - 2 Jan.y 1860

With account for salary.

Re 25 Aug. Mr Marcy

N: 2

Legation of the United States
Yedo, January 2d. 1860.

Sir,

I have the honor to transmit herewith, numbered 1. account for contingent expenses, for the quarter ending December 31st. 1859, showing a balance in my hands of ninety five $\frac{33}{100}$ Dollars. N: 1

I have the honor to be
Very respectfully
Your obedient Servant.
Townsend Harris

To the Honourable Lewis Cass.
Secretary of State
Washington.

U. S. Legation
Yedo January 2d 1860

Townsend Harris

No: 2.

1 Enclosure with
3 Vouchers.

Received.

With account for
Contingent expenses.

No 2. T. Harris. Yedo. 2 Jan. 1860 —

Rec'd 25. Apr. Mr Marcy.

N: 3.

Legation of the United States
Yedo, January 12th. 1860

Sir,

On the 5th instant a Mr van Reed, an American citizen, came to this Legation, having, as he informed me procured a passport from the Authorities at Kanagawa for that purpose. Mr. van Reed informed me, that the object of his visit was to see this City.

On my N: 42, dated August 25th 1859, I informed you of my action, in regard to Passports, and I beg to refer you, to that despatch.

Considering Mr. van Reed's visit as a violation of the strict letter of the Treaty, I informed him, that he must return without delay, and accordingly after passing the night at my house he returned the next morning to Kanagawa.

From

To the Honourable Lewis Cass.
Secretary of State
Washington.

U. S. Legation

From subsequent enquiries I learnt that Mr. van Reed went to the Japanese Authorities, and stated that the Consul was then in Yedo (which was the fact), that he had important business with the Ministers which could not be delayed, and he therefore requested a Passport, which was the more readily granted, as Mr. van Reed had previously been connected with the American Consulate at Kanagawa, and the Japanese Authorities were under the impression, that this connexion had not ceased.

As this will probably be made the subject of complaint to you, I feel authorised in troubling you with these particulars.

I have the honor to be
Very respectfully
Your obedient Servant

Townsend Harris

No 3. T. Harris - Yedo - 12 Jan y 1860 -

U. S. Legation
Yedo, January 12/60

Townsend Harris -

No: 3.

No Enclosures

Received -

About Mr. van Reed
coming to Yedo

No. 25. Ap.

N: 4.

Legation of the United States
Yedo, January 16. 1860.

Sir,

In my despatch N: 52. of last year, I had the honor to inform you, that our affairs here, were in a very unsatisfactory state, the Japanese Government evading the faithful observance of our most important Treaty stipulations.

Seeing that my letters had no effect whatever, in causing this Government to change its policy, and that they were only replied to in evasive terms, I determined to try a last effort, in demanding an interview with the Ministers for Foreign Affairs, which took place on the 13th of December last.

I opened the interview by complaining of the conduct of the present Ministry, of the coldness in their relations with me, during a residence of

To the Honourable Lewis Cass.
Secretary of State
Washington

U. S. Legation

of six months in their capital, which they manifested in every trifling thing, of their disregarding my earnest remonstrances as well as my friendly advice, of disgracing all those, who had extended any civility towards me, and had been engaged in the negociations, which preceded the signature of the Treaty of Yedo, and of rewarding those Persons, who evidently bore an ill will, towards Foreigners.

I then repeated the numerous complaints, made to me by the Consuls of the opened Ports; their manifest violation of the most important clauses of the Treaty, in restricting the exportation of some articles, and entirely prohibiting that of others; their backwardness in giving a sufficient supply of Japanese coin, in exchange for ours, according to the Treaty, and thus putting a stop to all trade, as the Japanese merchants refused to take our coin, in payment for their wares, which last proceeding was also their own fault, because the Imperial Treasury redeemed the Dollar, for less than its actual value.

I ended by telling them, that

war

war must inevitably ensue, and its calamities be brought on them, for disregarding their solemn Treaty obligations, and that neither the United States or any other Power would allow the Government of Japan to continue its present policy, which arose either from unwillingness of entering into relations with the foreign world, or from want of power on their part and fear of the Dimios or Independant Princes, whose sympathies were entirely antagonistic to foreign intercourse and who influenced the Government, or, more properly speaking, were themselves, the Government de facto of Japan; that if war was once declared, the present Government would be no longer acknowledged by the Foreign Powers, whose Agents would then only treat with the Mikado or Spiritual Emperor.

The answers given by the Ministers to the above charges, may be resumed in a few words, to wit: "We never had
" any intention to break the Treaty, but
" we will enquire into these matters, and
" if your charges are proved to be correct,
" we will punish the persons, who committed

them

them, without our authority.

It appeared however that the latter part of my remarks made a deep impression on them, as they requested me, to have an other interview with them in a few days; on which occasion they stated to me, that all what I had said to them, had been carefully considered in the Council of State; they again disclaimed most solemnly ever having broken the Treaty; they told me that in a few days a high Officer would be sent in a Government Steamer to Nagasaki, to enquire into the Conduct of the Governor of that place; they promised, that they would cause strict orders to be given to the Local authorities of the opened Ports, not to restrict or prohibit in any way, the sale and exportation of Japanese merchandise; that they would coin 10,000 Itsebues for Kanagawa, 6000 for Nagasaki and 4000 for Hakodade, daily, which is the full extent of their ability to coin.

They likewise accepted a proposition I had made to them, to mark the Dollar with a Government stamp, representing the value of three Itsebues, which

measure

would tend to make the Dollar current among the Japanese and would prevent much unnecessary trouble and expense of recoining. My proposition of bringing the relative value of gold and silver on a level with that of other Countries, and thus making an end to the injurious trade in coin, was also accepted, and the value of the Kobangi to be raised.

They ended by saying, that it was their most earnest desire to extend and draw closer the ties of amity and commerce so happily existing between the two Countries, and that, as a proof of their sincerity, the first Embassy, that had ever left their shores, was now ready to embark for Washington.

I am happy to state, that my two interviews had the desired result, and that the authorities seem to be earnest in their endeavours to adhere faithfully to the clauses of the Treaty.

Of course, a good deal of indulgence must be had for this People, on account of their long exclusion and total ignorance of commerce and its laws. The Country having been for more than two hundred years a self supporting

one

one, it is natural, that the Government should be afraid of calamities, arising from a scarcity of produce, as the foreign Merchants buy up large quantities of the same, and gives nothing but coin in return, because a want of our articles is not yet felt in Japan, and the cost is generally too high. The result of this, is at present a rise in produce and an abundant supply of coin. I told them, that whenever it was proved to me, that the People of Japan were suffering from the evasive price of any article of absolute necessity; I would be willing to enter into an agreement with them, restricting or prohibiting for a time, the exportation of such articles, as my Government, in making a Treaty with Japan, never contemplated, the bringing of calamities on its People, but merely the mutual advantage of both Countries.

I am happy to state, that the Japanese have already given me a proof of their sincerity, by removing all restrictions on trade, at Kanagawa.

I have the honor to be

Very respectfully,
Your obedient servant

Townsend Harris

No. 4. T. Harris - Jedo - 16 Jan 7. 1860 -

Yedo January 16. 1860

Townsend Harris

No. 4.

No Enclosures
Received.

Interview with Minister
for Foreign Affairs -
Favourable turn of affairs.

Rec. 25. Apr. Mr Murhoe.

N: 5.

Legation of the United States
Yedo February 1. 1860.

Sir,

In my despatch N: 51, dated November 7. 1859, I wrote you " I regret to
" inform you, that the audience, I had the day
" before yesterday, compares very unfavourably
" with the one of 1857, and altho' the greater
" number of my complaints, might appear
" very insignificant to Persons unacquainted
" with Eastern customs, they being mere points
" of etiquette and omissions of ceremonial,
" trifling to a Republican mind, yet it
" must be remembered, that they are of a very
" significant nature, in the eyes of the Japanese,
" and tended to show on the whole, that the
" feeling of the present Ministry or rather of the
" prevailing party of Dimios, is far from
" that entente cordiale, which existed between
" Japan and the United States, under the late
Ministry

To the Honourable Lewis Cass,
Secretary of State
Washington

"Ministry"

I enclose herewith the following Copies.

No. 1 Letter to the Japanese Ministers dated November 7/59

No 2 " from " to me " " 22/59

No. 3 " " " " January 2/60

No: 4 " to " " " " 10/60.

The enclosed correspondence will show you, that I have brought the matter to a satisfactory termination, and I have only to add, that my audience will take plaa in a short time.

As I prosecuted my demand for satisfaction, I became more strongly convinced, that the whole ceremonial was a special arrangement, intended to represent all Foreigners in a humiliating position, to the Japanese, as the ceremonials were in fact less than those used at the audiences, the Dimio's have of the Tycoon.

One very satisfactory circumstance has attended this matter, and that is, that it has been the means of driving Manabay Sino vsano cami from power, who was removed as soon as it was found, that I regarded the matter in a serious light.

The retreat of this man is a good augury for our good relations with

this

this Country. For while he was in office, we had nothing but constant trouble to anticipate.

His Successor is an enlightened and able man, and my relations with him are of the most agreeable kind.

I have the honor to be

Very respectfully

Your Obedient Servant.

Townsend Harris

No. 5. T. Harris. Yedo. Feb. 1. 1860.

U.S. Legation
Yedo. February 1/60

Townsend Harris

No: 5.

4 Enclosures.

Received.

The ambassadors

Copy.

Legation of the United States
Yedo, November 7th 1859.

Certain circumstances, that attended my audience of His Majesty the Tycoon on the 5th instant, were so unexpected and unsatisfactory, and so contrary to precedent, that the audience instead of being a subject of satisfaction to me, has become the source of various complaints on my part.

I have deferred writing to you, until now, that I might address you, in a calm and dispassionate manner, and without being affected, by the events in question.

I have to complain of the following occurrences.

1: The person sent to conduct me to the palace was not a man of proper rank, but one of a low grade. When I had my audience of His Majesty the Tycoon, on the 7th of December 1857, I was attended by a Kami and by a Vice Governor of Simoda. Four days before my late audience, I was told, that a Kami would attend.

To Their Excellencies Manabay Simo osano Kami
Wakisaka Nacatsoo casano Tayu.
Ministers for Foreign Affairs
&c. &c. &c.

attend me.

2: On the route from my residence to the palace, the streets were not kept by the police or other persons.

Coolies bearing burdens and loaded horses passed or continued on, by the side of my norimon, none stopping or clearing the way, and accidents of a grave nature might have occurred. On my arrival at the outer gate of the Palace, a crowd of grooms and servants, with loud cries, rushed tumultuously towards me, no Person being present to keep them in order. These omissions of respectful attentions, or even of proper precautions, for my personal safety, were discourtesies of a marked kind.

3d When I had delivered the letter of the President of the United States, His Majesty did not bow to me, as a sign that my audience was ended. This was done, when I had my previous audience, and I was told it would be done at my last audience. This omission of a part of the ceremonial requires explanation.

4th The courtiers in attendance were not dressed in the proper costume of a solemn audience, as none had on the yellow garb,

Nor

nor did any of them wear the usual ceremonial cap. I consider this as being a very marked and apparently an intentional slight.

5th. After my audience, I was conducted to a room, to meet the whole of the members of the great Council of State, but only Your two Excellencies were present.

The absence of the other members requires explanation.

6th. The conversation was only between Mariabay Seino osano cami and myself, he only spoke but once, and he did not reply to my courteous enquiries, after the health of Your Excellencies. His manner was haughty, cold and unfriendly in the highest degree, and he plainly showed, that he regarded me with disdain.

In my audience, I was not a private individual, but I represented the head of a great and powerful Nation, and the Person subjected to these discourtesies, was not Mr. Harris, but the President of the United States.

I require such satisfaction for these uncourteous and improper acts, as the high character of the great Nation, I represent demands, and I also demand, that the redress shall be of such a nature, as

will

will prevent the repetition of them.
Hated with respect and courtesy
(signed) Townsend Harris.

with despatch No. 5
Copy of letter to
Minister for Foreign Affairs.
1859.
2
Yedo November 7. 1859

Copy.

To His Excellency Townsend Harris
Plenipotendiary and Minister of the United
States of America. &c. &c. &c.

We have received your letter
dated the 7th day of November and understood
that you have not been satisfied, at the
audience of H. M. the Tycoon. As, in
reality, all countries have not the same customs,
so also, they have not the same ceremonies,
which is very natural. Therefore,
when we are in another country, we should
accept the customs of that country, for
which reason, we will not say any more
about this point. But, as you have
stated to us, that your last audience did
not take place in the same manner, like
the first one, and that this is a neglect
on our part, we state to you in answer,
to wit. It is written in your letter, that
1st the person who conducted you to the
castle was not of proper rank and 2d that
the streets were not kept by Police Agents.
At your former audience no special
class of officers had been appointed, because

the

the new Treaty was not yet exchanged, so we arranged a temporary ceremonial and assigned to various officers their posts and services and 2. we received you with a ceremonial, as the first Envoy coming to our country, in having you attended by the Governor of Semida, and the streets through which you passed were guarded by Soldiers, because, this being a new matter we were afraid of accidents.

But the new Treaty being concluded now, free trade opened and your residence established in this city, friendly intercourse is of course increasing from day to day, and it was no longer necessary to make use of vain and detailed ceremonies, so we had no guards and everything was arranged in an open manner, to treat you friendly, and we had only posted officers, inside and outside the castle and left them to make arrangements to receive you, all of which we did cordially and friendly.

As to your other questions, we desire that you should take into careful consideration the above mentioned reasons. Further, as we learnt, that you were the Bearer of

a

a letter from His Majesty the President of the United States, we made special arrangements for the same, and His Majesty the Tycoon was attended by all his servants in receiving the same; it is evident that we acted with respect and consideration, and our object was not at all, as you consider it, a neglect of politeness on our part. As to the manner of bowing of His Majesty the Tycoon, it is, as we stated to you before. As to the 5th & 6th points, it appears to us, that our respective languages have not been well understood, and that the ceremonies of both countries vary. And the reason that Sinosaro cami did not reply to you is, that it is the custom of the ceremonial in our country, for officers, not to speak of official business at a solemn occasion. This being the universal custom in our country, nobody doubts it, which we therefore brought previously to your notice. The one and the other are errors, resulting from not well understanding the languages of our respective countries, and we wish you, to take this not to heart, and we mean, that the basis of extending friendly relations is generally, not to be too particular in small matters, as the increase of that friendship

is

is the more important object. It also appears to us, in the same manner, that the ornaments of the letter, sent by His Majesty the President to His Majesty the Tycoon, and delivered by you, were different and less handsome than the former. All the arrangements of the ceremonial are equal to those, which took place during the audience of the Russian Envoy, last year, of Ansei Mma, after the new Treaty had been exchanged, so it was no slight, but an increase of friendship, as is the custom in our ceremonial arrangements, altho' the difference as to ceremonies was but small, as compared to that of the former audience.

In order to give you beforehand notice of all this, we sent the Governor for Foreign Affairs, Ometske, &c. to your place of residence, and they have stated it to you, and they afterwards informed us, you had well understood the above. We are very much concerned, that you are not satisfied. Perhaps the cause of your misconstruction may be, that the Interpreter cannot translate the languages sufficiently. But if you will carefully consider the above, it will be evident that no impoliteness was committed on our part, so it is desirable, you should

reconsider this.

If anything should not be clear to you, in this letter, we will send the above Governa, Ometske, &c., to your residence, to explain it to you. Which we state in answer with respect and courtesy.

The 27th day of the 10th month of the 6th year of Ansei Hitosyi. (November 22d. 1859).

(Signed) Manabey Simoosano cami
(.) Wakisaka Na eatsoocasano Tayu.

A true translation
H. Williamson

Dutch version.

Copy.

Aan Zyne Excellentie Townsend Harris,
Gevolmagtigde en Minister der Vereenigde
Staten van Amerika.

&c. &c. &c.

Wy hebben uwen brief, gedateerd
den 7de dag van November ontvangen, en begrepen,
dat U, by de audientie aan Zyne Majesteit
de Taikoen, de voldoening niet gemaakt hebt.
Daar in deze landen, eigenlyk niet dezelfde
gewoonte hebben, zoo ook heeft er niet dezelfde
ceremonieplaats, dit schynt zeer natuurlyk te
zyn, daarom, bevind men zich in een ander
land, dan ook zal men de gewoonte van dat
land nemen moeten, derhalve zullen wy over
dit punt geene melding maken. Doch,
daar U gezegt hebt, dat uwe laatste audientie
met de eerste, niet in dezelfde wyze plaats
heeft, maar dit de verzuimingen van onzen
kant is, zoo moeten wy nu, er het antwoord
op geven; het is in uwen brief geschreven
dat in de eerste plaats, degene die U in het
kasteel geleiden heeft, niet van voegzame
rang, en in de 2de de politie beambten, in
de straten niet bezet zyn. By de vorige

audientie

audientie waren de ambtenaren daardoor niet bepaald, omdat het nieuwe Traktaat met elkanderen nog niet verwisseld is. Zoo voorecist hebben wy heydelyk eene ceremonie Zamengesteld, poten en dienaren van alle ambtenaren bepaald en ten laeste te met eene ceremonie, als eerste in ons land komende Afgezant behandelende, door den Gouverneur van Dsinoda geleiden en de straten waardoor te gegaan heft, met de wachten van soldaten besetten laten, omdat wegens nu eerst beginnende zaak, wy toen onvoorzichte voorval hebben gevreesd. Doch thans is het nieuwe Traktaat reeds besloten, de vrye handel geöpend, en eene verblyfplaats in deze stad gelegd, en dus natuurlyk de vriendschappelyke verkeer van dag tot dag vermeerderd, daarom nu, hebben wy niet meer behoeft, de omslagtige ceremonie van vreemden aard te gebruiken, en dus ook geene wachten heeft, en alles ongevoinsd beschikt, om vriendelyker te behandelen, ten dien gevolge hebben wy voorts enkel den post van ambtenaren verdeeld binnen en buiten het Kasteel, en aandere de beschikking nemen laten te ontvangen, terwyl het alleen uit de getrouwe vriendelykheid genomen word.

Wat uwe overige vraag betreft, wenschen wij, dat U deze, volgens de naauwkeurige overdenking der voorgestelde gevoelens in aanmerking neme. Verder, daar wij het vernomen hebben, dat U den brief van Zyne Majesteit den President van Vereenigde Staten, alhier gebragt hebt, en bygondere beschikking daarvoor genomen hebben, Zoo luist Zyne Majesteit den Taikoen met alle Zyne dienaren daarbygetreden, daarom spreekt het vanzelf, dat het met eerbiedig en hoog-achting gehandeld is. Zoo is het van ons doel afgeweken, dat U dit beschouwt, als de nalating der beleefdheid van onzen kant. Aangaande van de buigingswyze van Zyne Majesteit den Taikoen, is het zoo, als wij het in voorigen dag aan U mede gedeeld laten hebben. De in 5de en 6de voorgestelde zaken schynen ons daarop neder te komen, dat men de talen met elkanderen wel niet begrepen en dezelfde wyze van ceremonie tusschen beide landen niet gehad heeft. En dat Sinnosa no Cami aan U het antwoord niet gegeven heeft, komt daaruit voor, dat het in de ceremonie van ons land de gewoonte is, de ambtenaren met elkanderen, geene officieele zaken in plegtige zaal niet te spreken, daar dit in ons land het algemeene gebruik is,

treks

trekt niemand dergelyke Zaak in twyffel,
en dus is dit vooraf aan U niet medegedeeld.
Dit een en ander zyn de misslag voortvloeyende
uit het niet juist begrypen der Talen van
onderlinge landen, en dus wenschen wy
aan U, dit de harte niet te nemen, en
ook menen wy, dat het de gronde van het
uitbreiden van vriendschap is, in het algemeen
met elkander, kleine zaken niet te ondersoeken,
aangez in dit uitbreiden in het byzonder
zeer de belanglyke deel is. Ook schynt het
ons de gelyke doel te zyn, met het door ons
aangenomene, dat de Siraadvanden brief,
die van Zyne Majesteit den President, aan
Zyne Majesteit den Taikoen gezonden, en by
dezen, door U overhandigd is, van dien van
den voorige verschillende, minder fraai is.
Al de ceremoniele schikkingen, zyn, by deze
gelyk aan die, welke by de gehoorleening van
den Russischen Afgezant in het verledene
jaar Anno Nona, na het nieuwe Tractaat
verwisseld te hebben, plaats hebben, derhalve
heeft dit niet de weinige malating, maar
dit is de uitbreiding van vriendschap, daar
het in onze ceremoniele beschikkingen de
gewoonte is, ofschoon het weinige verschil
uit de ceremonie, by uwe voorige gehoor

gewees

geweest is. Om dit alles vooraf aan U. mede te deelen hebben de Gouverneur van buitenlandsche zaken, Otsetske, enz. naar uwe verblijf gegaan, en dit aan U verklaard, daarna hebben zij aan ons medegedeeld, dat U het wel begrepen hebt. Dan, dat U de voldoening daarvoor niet hebt, bekommert ons al te zeer. Misschien zou uwe misdenking daaruit gebeuren, dat de Volk de talen niet genoeg verstaan kan. Doch indien U het bovengemelde wel overdenken zult, dan spreekt het van zelf, dat er geene onbeleefdheid van onzen kant is, derhalve is het wenschelijk, dat U dit wel bedenket. Indien er enige onbegrijpelijkheid in dezen brief is, dan zullen wij de bovengemelde Gouverneur, Otsetske, enz. naar uwe verblijf zenden, om dezelve te verklaren. Nu maken wij dit antwoord.

Met erbied en beleefdheid voorgeteld.
Den 27e dag der 10e maand van het 6e jaar
Ansei Hitotsuji.

(w. g.) Manabe Sino osanu sami
(") Wakisaka Nacatsoocasano Tayu.

with despatch N. 5

No. 2.

Copy of English - British
version of letter from
Ministers for Foreign Affairs

Yeddo, November 22/89.

Copy.

To His Excellency Townsend Harris.
Plenipotentiary & Minister of the U. S. of America.

&c &c &c.

His Majesty the Tycoon having been informed that you wish to have an audience, as stated by you on the 24th of the Soo goo atsoo, he has granted the same, but as the castle has been burnt, the day for the audience will be notified to you, after its completion; and the ceremonial will be satisfactorily arranged.

Stated with respect and courtesy.

The 10th day of the 12th month of the 6th year of Ansei. (January 2d, 1860.).

(Signed) Wakisaka Nacatsoocasano kayu.

A true translation

H. Heusken

Copy of Dutch version.

Aan Zyne Excellentie Townsend Harris, Gevolmagtigde en Minister der Verenigde Staten van Amerika. &c. &c. &c.

Aan Zyne Majesteit Taikoen gezegt, dat 24th Soe goe ato gezegt heeft Taikoen komen te bezoeken wil, dat toegestaan wordt; maar Kasteel gebrand, dus, als die bouwen klaar gekomen zyn zal ik bekent maken, en

over

over complimenteuse manier, by dit tijd elkander voldoen maken. Met embied en beleefdheid
10: day van 12: maand 6: jaar staan.
(was getek.) Wakizaka Nakatsukasano

with dispatch No. 5.
English, Dutch version
of Letter from
Minister for Foreign
Affairs,
No. 3.
Yedo January 2: 1860

Copy.

Legation of the United States,
Yedo. January 10th, 1860.

I have to acknowledge the receipt of your letter, informing me, that His Majesty the Tycoon would grant me an audience, as soon as the new Palace should be rebuilt.

I have already both by letter and verbally expressed my dissatisfaction, of the ceremonies, that attended my last audience, and have demanded, that another should be given to me, and to be attended with the same ceremonies, as were had at my audience on the 7th of December 1857.

To postpone the new audience, until the Palace shall be rebuilt, will not be satisfactory to me.

I have felt, that it was the intention of Manabay Sinoosano cami, to place me in a dishonorable position, at my last audience, and that impression must remain, until

I.

To His Excellency
Wakisaka Nacatsoocasano Tayu.
Minister for Foreign Affairs.

&c. &c. &c.

I can have a new one, attended with all proper ceremonies, and for this reason the audience should not be delayed.

I must also call your attention to the fact, that a number of missions are now on their way from Europe, for the purpose of making Treaties with you, and that the respective diplomatic Agents will demand the audiences, to which they are entitled, and you cannot properly refuse them. You must be aware, that to grant any audience, before I have received a satisfactory one, would be a great slight to the President of the United States, whose Representative I am.

It is not necessary to wait for the rebuilding of the Palace, before I have my audience, and I therefore request, that you will appoint a day, immediately after your new year, for that purpose, and that all the ceremonies shall be clearly settled before that time.

Write with respect and courtesy.

[sign] Townsend Harris

with despatch No. 5

Copy of
Letter to Minister
for Foreign Affairs

No. 4.

Legation January 10/10.

Re 26. Ap.

No: 6.

Legation of the United States
Yedo February 8. 1861.

Sir,

It is with sincere pleasure, that I inform you, that the Japanese Embassy for Washington, will embark on board the Powhatan to morrow.

I beg to refer you to Commodore Tattnall, who will be in Washington, soon after this comes to hand, for many interesting particulars.

I am happy to inform you that my relations with the present Ministry are of the most agreeable kind, and strongly remind me of my first visit, to this city, in 1857.

So far as I am informed, the Japanese are honestly carrying into effect the stipulations of the Treaty.

I have been quite ill and am still so weak, that I am compelled to be brief.

I.

To the Honourable Lewis Cass.
Secretary of State
Washington

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

No. 6. T. Harris. Yedo. 8 Feb. 1860

Yedo February 8/60

Townsend Harris.

No: 6.

Received.

Departure of Japanese Embassy.

Rec'd May.

No: 7.

Legation of the United States
Yedo, February 14th 1860

Sir,

Rumours of an unpleasant nature relating to the Officers of the United States Frigate Powhatan, have been in circulation at Kanagawa for some time.

It is alledged, that when the Powhatan visited Kanagawa in November last, that many of the Officers purchased the Japanese gold coin, called Kobang, which then circulated for one third of its value, and that they took them, to China, where they sold them for a profit.

The Powhatan arrived at Kanagawa on the 11th of last month, and the previous criticisms on the action of her Officers now assumed the tone not only of complaint, but angry remonstrance.

It is alledged, that these Officers availing themselves of the peculiar positon the ship occupied, in the Japanese mind

(from

To the Honorable Lewis Cass.
Secretary of State
Washington.

(from her having been appointed to convey the Japanese Embassy to Panama) procured from the Japanese a large and unfair proportion of Japanese coin, which is exchanged daily at Kanagawa, and that this coin was not procured for the wants of the ship, or for the private use of the Officers, but for the purposes of trade.

No: 1. I transmit herewith, numbered 1, copy of a letter from Mr. Alcock, British Consul General to the Japanese Ministers for Foreign Affairs, on this subject; I also enclose numbered 2, copy and translation of a letter from Mr. Du Chesne de Bellecourt, French Consul General, to the Japanese Ministers for Foreign Affairs, on the same subject.

No: 2

The Americans residing at Kanagawa have not addressed me officially on the subject, but they are loud in their complaints. They allodge, that they were not only improperly deprived of their fair share of Japanese coin, and thereby were unable to carry on their business, but that the officers used this money, so improperly obtained, to purchase the very Japanese produce, which was brought to the market to the market, to be sold to the merchants.

They

They also allege, that it is impossible for any Resident Merchant, to compete in trade, with a naval officer, as the latter has not only no warehouses, or other expenses to defray, but is also in receipt of pay from the Government.

It is difficult for me to convey to you a just idea of the light, in which trade is regarded, by persons of rank in the East and especially in Japan.

To the Japanese mind, the idea of a person, bearing the military commission of a great Country, like the United States, engaging in trade, is a monstrous paradox, and I feel confident, that the continuance of the practice will tend to the injury of our national character, in the eyes of the Japanese.

I do not know, whether the Regulations of the Navy, permit officers to engage in trade, or not, but if such a liberty does exist, I would respectfully recommend, that it should not be exercised, on the Japanese Station.

I should add, that Lieutenant Habersham and Purser Gallagher appear to be the principal, if not the only Persons, who purchased merchandise at Kanagawa.

for

No. 7. T. Harris - Yedo - 14 Feb — 1860

for shipment and sale.

The Powhatan sailed from Kanagawa at daylight, yesterday morning having the Japanese Embassy on board.

I have the honor to be,
Very respectfully
Your obedient Servant.

Townsend Harris

Yedo, February 14th. 1860.

Townsend Harris -

No: 7.

2 Inclosures

Received,

U. S. Naval officers engaged in trade.

Departure of ship anise

Rutherford Alcock, Esquire, Her Majesty's Plenipotentiary and Consul General, to His Excellency the Minister of Foreign Affairs.

No: 18

British Consulate General,
Yeddo, February 7th, 1860.

Repeated complaints reach me from the merchants of any Nation at Yokuhama, that, while they are denied all facilities for Trade by the refusal at the Treasury to exchange any but paltry sums of ten dollars per diem, - they see the officers of the U.S. Frigate "Powhatan" who are

Yeddo, February 14th, 1860.

are not merchants, and are
even prohibited by their own
Government from trading,
receive daily enormous sums
in Stzeboos which notoriously
are not for the use of the
ship, since with them they
enter into trade.
If this be true it constitutes
a state of things which cannot
be permitted, involving as it
does the grossest partiality
and violation of treaty rights.
I have to request therefore that
your Excellency will at once, and
plainly, state whether the
following information which
has just reached me, and I am
assured <u>can be substantiated</u>,

is

is or is not correct; that I may determine what further steps it may be my duty to take in defence of the rights and interests of British subjects.

It is averred that recently one Officer of the Powhatan received 30,000 Stzeboos and another 15,000. That besides these, the Purser also has received still larger sums, and the officers generally, Stzeboos varying in amount, but in all cases largely and far beyond the sums obtainable by the Merchants.

It is further averred that there is now a ship in harbour

the

the "Cornelia & Beran" which
it is known has been loaded
by the officers of the "Powhatan"
for Hong Kong; and that
a new American Firm has
just sent round a circular,
of which Lieutenant Haberham
is the head Partner. These
last facts I do not ask
your Excellency to verify
and it is possible you
may be not cognizant
of them; but they tend to
confirm the truth of the
other allegations. What
I ask, and I conceive I am
entitled to demand, is that
you will inform me
without delay what
amount

amount of dollars have been exchanged for the Powhatan since its arrival, that I may judge whether British subjects have, as they are, been subjected to serious injury by the acts of the Japanese Government in refusing to them all means of exchange for Trade, while giving the largest sums to the officers of an American Man-of-war. With respect and Consideration.

(Signed:) Rutherford Alcock,
H.B.M. Plenipotentiary
and Consul General
in Japan.

True Copy.
Wm. J. Power

with dispatch N: 7.

N: 1.

Copy of dispatch from
British Consul General
to the Tycoon

Yedo February 7. 1860.

Copy-

Consulat Général de France Le 8 Février 1860.
au Japon

M. Du Chesne de Bellecourt
Consul Général de France au Japon au Gorojio

J'ai eu l'honneur d'écrire à Votre Excellence le deux de ce mois, en La priant de vouloir bien surveiller l'impartiale répartition des Itchibous à Hokohama ; Depuis ce jour, j'ai reçu des Négociants Français de ce port, qui ne peuvent obtenir chaque jour pour leur commerce que fort peu d'Itchibous, des plaintes réitérées au sujet des énormes répartitions de cette monnaie, qui auraient été faites indument à plusieurs des officiers, de la Frégate des Etats-Unis, le Powhatan, indépendamment de celles, fournies à l'administration de ce navire pour les besoins journaliers du bâtiment. En conséquence de ces faits, je me vois obligé de prier Votre Excellence de me mettre à même d'en apprécier la valeur en me faisant connaître officiellement le chiffre des sommes, qui ont été délivrées à la Frégate le Powhatan, depuis son arrivée

dans

dans ces parages et dont le montant me paraît vraiment inexplicable, malgré les assertions positives qui m'arrivent de Kanagawa.

Avec respect et considération.

(Signé) Des Chenes de Bellecourt

A true Copy

H. S. Heusken

English Translation

Consulate General of France in Japan — February 8th. 1860.

Mr. Du Chesne de Bellecourt,
Consul General of France in Japan to the Gorojio.

I had the honor of writing to Your Excellency, on the 2d instant, requesting you to watch over the impartial distribution of Itsebues at Yokuhama. I have since that time, received from the French Merchants at that Port, who can only obtain for their trade, very small quantities of Itsebues daily, serious complaints, relating to enormous distributions of Itsebous, unlawfully made to several officers of the United States Frigate Powhatan independently of those furnished to the commissariat of that ship, for its daily wants. In consequence of these facts, I feel myself compelled to request Your Excellency, to enable me to appreciate the true value of the above, by informing me officially of the total amount of the sums delivered to the Frigate Powhatan, since her arrival here, which amount appears to me really incredible, notwithstanding

the

the positif assertions, which reach me from Kanagawa, on that subject.

With respect and consideration

(Signed) Du Chesne de Bellecourt.

A true Translation

H. Heusken

Enclosure

with dispatch No: 7.

No: 2.

Copy and translation of dispatch of French Consul General to the Japanese Government

dated February 8/60.

Rec'd May.

No: 6.

Legation of the United States.
Yedo February 22d, 1860.

Sir,

I have the honor to transmit herewith, numbered 1, Copy of a letter from Mr. Alcock, No: 1
in which he informs me, that H.B. Majesty has ~~been~~ pleased to appoint him, Envoy Extraordinary and Minister Plenipotentiary to the Court of Japan.

This promotion of Mr. Alcock, will no doubt greatly increase his influence with this Government, placing as it does such extreme value on mere rank, not reflecting that the power exercised by the individual, is the important point to be considered.

The giving Mr. Alcock a titular rank, higher than mine, was no doubt the result of a desire, on the part of the British Government, to secure to itself a paramount influence in this country.

A sense of delicacy prevents my making any suggestions as to the future action of the President

in

To the Honourable Lewis Cass.
Secretary of State
Washington.

in this behalf, as such suggestion might bear the appearance of a desire on my part to promote my personal interests.

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

No. 8. J. Harris - Yedo. 22 Feb. 1860.

U. S. Legation
Yedo February 22/60

Townsend Harris.

No: 8.

1 Enclosure

Rec'd.

Appointment of Mr.
Alcock as Envoy Extraordinary
& Minister Plenipotentiary

No: 26.

Copy.

Her Majesty's Legation
Yeddo, February 20th, 1860

Sir,

I have the honour to inform you, that Her Majesty has been pleased to appoint me Envoy Extraordinary and Minister Plenipotentiary in Japan, preserving also my title of Consul General for the Superintendence of the Consular Service. I venture to hope that the increased rank, which has been conferred upon me, will only serve to render our relations more intimate, and enable me to work with more efficacy, in the common cause, strong in our perfect accord on all the main features of the policy to be followed.

I have the honour to be

Sir,

Your most obedient

Humble Servant

(signed) Rutherford Alcock.

To

Townsend Harris Esquire
Resident Minister of the United States
&c &c &c.
Yeddo.

Enclosure

with Despatch N. 1.

Copy of despatch

from H.B.M. Minister.

No. 1.

Yedo February 20th. 1860

Rec'd 21. June Mr Marcy

N: 9.

Legation of the United States
Yedo, February 27th, 1860.

Sir,

By request of the U. S. Commercial Agent at Hakodade, I transmit herewith, N: 1. N: 1
copy of the proceedings had at Hakodade, in the case of Charles H. Smith, an American citizen, who was charged with homicide.

I have the honor to be,
Very respectfully
Your obedient Servant.

Townsend Harris

To the Hon. Lewis Cass.
Secretary of State
Washington.

27 Feb. 1860.

No 9. T. Harris. Yedo. 27/2/60.

U.S. Legation

Yedo February 27/1860.

Townsend Harris

No: 9.

1 Enclosure

Read.

With case of homicide.

This Copy

For Secy of State

United States.

(Versus)

Charles H. Smith

for Homicide.

United States Consular Court

Hakodadi, Decr 23^d. 1859.

United States V.S. Chas. H. Smith.

Present E. E. Rice Esq. Presiding.

Associates, I Goshkevitch Esq. Russian Consul

" I P. Hodson Esq. English Consul

His Excellency, Ichudahonnus, Kami. Governor of Hakodadi.

The Lieut. Governor of Hakodadi

Three Vice Governors of D^o.

Six Japanese Interpreters

The Capt. of the Russian Imperial Steam Clipper "Oygitt"

Lieut. Nakimoff — and

Lieut. with a file of Marines.

also, Messrs Fletcher, Ashton, Bennett, Wilkie, Bates, Owen, Forster, Bradford, and Coward.

Thomas L. Stevenson and W. C. Pitts, Clerks of Court.

Chas H. Smith, prisoner, placed at the Bar. The Indictment charging him with the shooting of a Japanese was read: to which Prisoner plead guilty, justifiably.

pistafiably.—
The Court allowed the prisoner to make
a statement. Prisoner said, I went
to bed about ½ past 12 O'Clk: fifteen
or thirty minutes afterward my servant
called me, saying that he thought
that some one was in the house; I waited
and listened for half an hour, hoping to
hear some sounds from the burglar, hear
ing nothing I endeavored to sleep, bel
ieving that no one could have entered
the house — Soon after I thought I heard
I slight noise myself; now listening
attentively for about three quarters of
an hour I became certain from the
unusual noises that some one was
in the house; It was perhaps half
past two when I heard my desk bro-
ken open — I immediately took my
pistol from under my pillow, and
got out of bed quietly — I heard
a low rattling noise at my desk.
It being very dark I waited until
I heard footsteps in the room and
taking aim in the direction of the noise
I fired; I was not certain that there was

a man

a man, but the moment I fired, my door was suddenly burst open and a dark object ran out, I followed it into Temple street and could there see that it was a man running; I fired again at him, upon which he fell. I instantly called Capt. Fletcher, and upon going home found Mr. Rice; found my house door and desk broken open, apparently with the same instrument; money and a note for money was lying upon the floor. The outside door was fastened by a small bolt— a penknife was stuck over the bolt so as to make it immoveable - that knife had been removed, and used to fasten my servants door so that he could not get out. I surrendered myself at once to Mr. Rice for examination— After the man was shot Mr. Rice arrived at my house before me".

Question by the Court. "Have other robbers been seen by you before"?

Ans: No, I have not seen others besides this man, but I have had my desk tried, and clothing overhauled before by Burglars".

Question—

Question. "When you followed him was he alone"?
Ans. Yes, I saw no man besides the one I shot".
Question. "Was anything stolen before"?
Ans: No, I know of nothing having been stolen".
Question. "Why do you sleep with fire arms under your head"?
Ans. "Because Foreigners have lost many things said to have been stolen".
The Court. "Then you keep pistols only to protect yourself
Prisoner. "I have pistols only to protect my life and property".
Louis Chappe, called. "I live at Mr. Smith's. I went to bed about 12 o'clk: about one o'clk: or a little before, I thought I heard somebody in the house, thought they opened the door close to my bed — I got up and sat down upon my chest to listen. I could not see anything. I heard Mr. Smith cough, I was glad, I told him somebody was in the house, Mr. Smith said "Hold on" — then could

hear

heard nothing for sometime, got in bed again; after a good while I heard a pistol fired, I jumped out of bed and tried to get out of my room, but found myself fastened in. Mr Smith took away a Knife from the door, I then got out, found money and boxes adrift about the floor".

Question by the Governor of Hallodadé, "How did you know that any one was in the house"?

Ans. I heard the door opened, no one could have opened the door but a man, as it had been well fastened".

Question by the Court. "Did you see any man".

Ans. No, I saw no nobody

Question. "Did you hear the robber speak as though he had some one else with him".

Ans. I am not certain, but once I thought I heard a man speak as if he spoke to some other persons outside".

Capt. C. A. Fletcher, called. "Between 2 and 3 o'clk: was awakened by the sharp report of a pistol, immediately afterward heard a crash as though a door was

broken

broken down, jumped out of bed and heard another pistol fired, then another, then another, then another report; a minute or two afterward, I was called by Mr Smith (the prisoner), I went out into the street and found a man stretched out, apparently dying. In a few minutes Mr Rice arrived upon the spot, upon which he and myself went through my house and into Mr Smith's house. We found the door broken - the desk broken open, a piece of which was lying off at some distance; some money and papers were scattered upon the floor. My family were soon on the spot. Doctor Bates was speedily sent for and arrived in a short time. Mr Rice had sent also for some of the Japanese officials - They arrived on the ground in about an hour."

Question by the Court "Why did you send for Dr Bates?"

Ans. "In hopes that he might relieve the wounded man."

The Court to the Japanese Officials -

"You see"

"You see, Americans do not come here to kill the Japanese people"!
Capt. Fletcher. "I go entirely unarmed".
T.S. Steinmori, Called. "My testimony is substantially the same as Capt. Fletcher's".
Question by the Court. "Do you sleep with fire arms about your bed"?
Ans. "I do, my reasons for doing so are that my house has been thrice robbed".
Capt. Fletcher, recalled:
Question by Court: "Has your house ever been robbed"?
Ans. "Yes, during my absence it was supposed to have been robbed on two occasions".
Doctor G.M. Bates, Called: "At about 4 o'clk I was called up to see a man said to have been shot. I arrived at Mr. Smith's house as soon as possible; saw money lying about the floor. Mr. Smith told me to call Mr. Steinmori, he would show me the man. I found him lying on a mat in the street. He was quite dead -

I did not

I did not examine him minutely as I could render him no assistance. I returned to Mr Smithes house. I examined the desk and door and was convinced that they had been broken open with a chisel. I took a lantern and went over the ground which had been run over by the burglar — Within three or four yards of Mr. Smith's gate. I found a chisel. I tried it upon the marks on the door and desk, and found it to correspond exactly with them; later in the morning I found a Knife sticking in the gate so as to prevent the gate from shutting. I saw in Mr Smiths room the mark of a bullet, and some blood on the floor.'

Question by the Court. 'Why did you go to Mr Smith's when sent for this morning'?

Ans: 'I felt it to be my duty to render all possible assistance to the wounded man — The man was dead before I arrived on the spot.'

Question. 'Do you know of any robber-

ries that

-ries that have occured here before?"
Ans: I heard of one - that of Capt. Fletcher's house!
J. P. Hodson, esq: here stated that his house had not been robbed, but had been broken into twice, and that for the safety of his family and himself, he had given his guard orders to shoot any man found upon his premises during night time.
Lieut. Nasimoff, called:
Question by the Court: "Have you ever had your house robbed"?
Ans: "Yes, three - the first time about five months ago - I sent for the police two of which arrived - I told them of the robbery. I had lost several articles - a large Copper boiler and other cooking utensils. I have also lost a bullock from my Court-Yard. I have never heard anything from the Police. I now go armed to protect my property and my life."
Jos: Goskevitch, esq: called. He said his house had been robbed some-time ago of about 15.000 Cash. The

robber

-robber must have entered through a window in the back part of the house."

Doctor Edwin Dixon, called. "My house has been robbed; first, about three months ago. I made a report of it to the police but they paid no attention to the matter. I was again robbed about five days ago: as no attention had been paid to my first complaint, I did not make another."

A Japanese servant of E.E. Rice, Esq: was placed upon the stand and permission given to the Governor of Hakodadi to ask him any questions relative to the case, as he was present with Mr. Rice when he first visited Mr. Smith's house. His Excellency declined questioning the man - He left the stand. The Court summed up the evidence, and then said:

"This is the first case of the kind that has occured in Hakodadi. I am exceedingly sorry that so unfortunate an affair should have occurred. All foreigners that come here come to live in peace and friendship -

This is -

This is a privilege accorded by Treaty-
We wish to do nothing wrong. Our
Treaty secures us our property and
our persons. It is the duty of the
Japanese Government to protect us, if
they do not do it, then it becomes our
duty to protect ourselves. We trust
that his Excellency the Governor will
appoint a more efficient police to
protect us from insult or injury.
The Case just investigated is sad and
unfortunate, but from the evidence
produced, it is the unanimous opin-
ion of the Court that the prisoner
at the Bar was justifiable in sh-
oting the Burglar: it is what we
would all do if placed in like
circumstances. We say to our people
protect your property and your lives.
therefore we discharge the prisoner,
Mr. Smith from Custody.
We firmly request the Japanese Gov-
ernment that conspicious placards
shall be posted in all Public plac-
es, explaining fully to the Japanese
people why this man was killed.

also of

cles of the decision of this Court."

The Governor expressed his entire approbation as to the proceedings of the Court, and of its decision. The whole of the foregoing evidence was translated, word for word, by the Japanese interpreters, during the investigation."—

Copy.
C. W. R. Pitts
Asst. Q.

Enclosure

with despatch. N: 9.

Copy of case of
Homicide

N: 1.

Habbodade December 23/6

Rec'd 28 July. Mr Marker.

No: 10.

Legation of the United States.
Yedo, March 10th, 1864.

Sir,

In my despatch No: 49 of 1859 I informed you of the murder of two Russians at Yokuhama.

On the 6th of November a Chinese in the employ of an Englishman at that place was murdered, and on the 29th of January, a Japanese in the employ of the English Minister, in this place, was assassinated.

After a careful examination of all the facts I could obtain, in relation to the death of the Chinese and Japanese, I came to the conclusion that they were the result of private vengeance.

On the 26th of February, two Dutch ship-masters were killed between the hours of 7 and 8 o'clock, in the evening, in the streets of Yokuhama, and as their bodies were not robbed, it was manifest, that it was something beyond a mere act of brigandage.

No arrests for the previous murders having been

To the Honourable Lewis Cass.
Secretary of State
Washington.

been made, I felt called on, to address this Government in strong terms, and I wrote to the Ministers for Foreign Affairs on the 27th of February; a
No: 1 copy of this letter I transmit herewith numbered 1, with a copy and translation of the reply of the
No 2 Ministers thereto, dated March 8th, numbered 2.

On the 28th of February, I addressed a letter to Mr. Dow U.S. Consul at Kanagawa recommending certain precautionary measures, to be adopted by the American Citizens, at that place: I enclose
No: 3 copy of that letter, numbered 3

No newspapers are printed in this country, and this joined to the systematic reticence of the Government, has caused the circulation of the wildest rumours, among both Japanese and Foreigners.

The report most widely circulated was to the effect, that a general slaughter of all Foreigners had been resolved on, by the Dimios, who are opposed to the late Treaties, another report states, that these assassinations were committed, by the followers of the Prince of Mito and by his orders.

To enable you, to understand the motives alledged, as actuating the Prince of Mito, I must explain to you his position in Japan.

Yeyas or Gongen Sama founded the present Tycoon dynasty in 1611/25; he left four sons.

one

one of whom became Tycoon, and the others were created hereditary Princes, under the titles of Kisiu, Owari and Mito. The successors of these Princes are called "the Brothers of the Tycoon", and failing legitimate male issue of the Tycoon, he adopts an heir, from one of the families of these three titular brothers.

The late Tycoon had no legitimate heir, and he adopted a Son of the Prince of Kisiu, and the adopted heir succeeded to the throne in August 1858.

It is said this adoption gave great offence to the Prince of Mito, who had urged the claims of his Son, a young man of 20 to 25 years of age. This dissatisfaction was repressed in so dangerous a manner that the Prince was arrested in the autumn of 1858 and confined for some time.

Ultimately he resigned his principality in favor of his Son, and was then permitted to retire to his estates, about 50 miles from this city.

It is alledged that he ordered the assassination of the Foreigners, with the object of producing a war, which might bring about a revolution in the country, and thereby restore him to power. It is a singular coincidence, that men of war were present in these waters, on the occasions of all the murders of Foreigners.

It is due to the Ministers for Foreign Affairs, that I should state, that they manifest much anxiety.

for

No. 10. T. Harris - Yedo - 10 March, 1860

For my [illegible] safety, and for that of the Americans at Kanagawa, and that I do not doubt this good [illegible] in devising to give us all the protection in their power.
I have the honor to be
Your Excellency's
Very Respectfully
Your obedient Servant
Townsend Harris

Townsend Harris

U. S. Legation
Yedo, March 10. 1860.

Townsend Harris

No: 10.

3 Enclosures

Received.

Minutes of Foreigners
Prince of Mito.

Copy.

Legation of the United States
Yedo, February 27. 1862

To Their Excellencies
Wakisaka Nacatsoocasano Tayu.
Ando Tsoosimanocami.
Ministers for Foreign Affairs
&c. &c. &c.

I am deeply pained to hear of new assassinations at Yokuhama. I am credibly informed that last evening between the hours of 7. 8 o'clock the captains of two vessels were murdered in the mainstreet of Yokuhama.

This makes five persons, who have been basely murdered, by the Japanese, within five months.

No persons have been punished for these atrocious crimes and consequently I cannot but think, that you are, either unwilling or unable to punish the criminals.

In either case the fault is equally grave and it must inevitably end, in the Treaty Powers taking such steps, as will secure the protection in person and property of their citizens and Subjects, residing here, and thus put an end to a state of things, that is only to be equalled by the Savage conduct of the cannibals of the South Seas, and which from

el

U. S. Legation

its atrocity will excite the horror and indignation of the whole civilised world.

I seriously warn Your Excellencies, that if you continue to neglect your duty, in bringing the murderers to justice, that the most deplorable consequences must ensue to the People of Japan, and that it may lead to the subversion of your Government.

Stated with respect and courtesy.

(Signed) Townsend Harris.

Enclosure to dispatch No 10.

No: 1.

Note to Ministers of F.A.

Yedo February 27/60

Dutch version,

Aan Zyne Excellentie Townsend Harris,
Gevolmagtigde en Minister der Vereenigde Staten
van Ameuka.

&c &c &c.

Wy bekennen de ontvangst van uwen
brief, gedateerd den 27ste February en genummerd
20.

Aaron over de vermoording van twee
Hollanders gebeurd laatst den 5de dag tegen den
avond te Yokohama, onmiddelyk het berigt
van de Gouverneurs kwam, en daar dit eene
diepe en droevige aandoening veroorzaakte,
hielden wy, zoo spoedig er het naricht van gekregen,
aan de Ambtenaren, om daar zich naar te
begeven, en de schikkingen der vatting van de
misdadigers te nemen. Dan wegens de
omstandigheid, dat de vlugt der misdadigers
nog niet ontdekt wordt, veroorzaakt het ons eene
zeer schaamtelyke aandoening, dat zulks by toeval
zal aangemerkt worden, als het gevolg van onze
zorgeloosheid. En hewyl gy het regtes van
zyde beschikt, zoudt gy er U mede grootelyks
bemoeyen; hoe is het mogelyk dat wy ulue
onwillig zyn, de misdadigers te straffen, die het
wreede geweld, tegen de vreemdelingen, by herhaling

gedreven

gedreven hebben! Hoezeer er de spoed en
langzaamheid tot het vatten van de misdadigers
aankomt, op gelang van hunne vlugt,
zijn wij van hoop om ons opregte hart aan den
helderen dag te brengen, door het navorschen
en straffen van de misdadigers. In den eerste
hunne vriendelingen, te gemelde plaats niet
alleen, maar zelfs hier te stede van zoodanig
een gevaar vrij te stellen en beveiligen, zullen de
schikkingen genomen worden. Daar er nu
steeds eene beraadslaging over plaats heeft;
zullen wij op beslissing daarvan, eene nadere
zamenkomst met u houden, hetwelk wij als
een antwoord voorstellen, met respect en politesse.

Den 16: dag der tweede maand van
het tweede jaar van Ansei.

(a.s.) Wakisaka Naeatsoecasano Jayen

(.) Andou Boesinano cami

English Translation

To His Excellency Townsend Harris, Plenipotentiary and Minister of the U. S. of America

&c &c.

We acknowledge the receipt of your letter, dated February 27: and numbered 20.

When the two Dutchmen were murdered on the evening of the 5: inst. at Yokuhama, we received immediate notice of the same from the Governor, and as it made a deep and sad impression, we gave at once orders to our officers to go to the place and to make arrangements for the arrest of the criminals. The fact that the flight of the criminals has not yet been discovered, afflicts us with a feeling of shame, as it may be considered as the consequence of our carelessness. And as you only take a side view of the matter, how is it possible, that we ourselves should be unwilling to punish the criminals, who have perpetrated such cruel and repeated acts of violence on foreigners. As the shortness or length of time, occupied in arresting the criminals, is in proportion to the distance of their flight, we hope to bring our sincere heart to the clear light of day, in investigating and punishing the criminals: And in order

to

to free Foreigners from and guard them hereafter against such dangers, not only at the above place but even in this city, proper arrangements will be made. As this matter is now under deliberation, we will after decision have an interview with you.

What we have to state in reply, with respect and courtesy.

The 16th day of the 2d month of the 7th year of Ansei (March 8th 1860).

(signed) Wakisaka Nagatsuo casano Taiyu

(") Ando Tsoosimano cami -

A true translation

H. Heusken

to dispatch No. 10.

No. 2.

Dutch version a

translation of dispatch

from Minister F.O.

Yedo March 8. 1860

Copy.

Legation of the United States.
Yedo February 28th, 1861.

Sir,

The barbarous murder of two quiet and unoffending foreigners in the main street of Yokuhama, on the night of the 26th instant is a matter of grave importance and gives me deep concern for the safety of the American citizens, residing within your consular district.

For the purpose of promoting their safety, I have to recommend to all American citizens, the observance of the following precautionary measures.

1st That no one should leave his residence, between the hours of Sunset and Sunrise, except in cases of absolute necessity.

2: When such necessity exists, they should be attended by Persons bearing light, and if possible by two or more Japanese as a guard. They are also recommended to arm themselves at night with defensive weapons, but such weapons are only to be used for self defence, and in cases of absolute necessity. I am of opinion, that the strict observance of the foregoing recommendations, will secure the personal safety of the Americans in your district.

Japanese of respectability do not leave their houses at night, except in extraordinary cases, and in the exceptional cases, they are always attended by guards with lights.

The

To Mr. E. M. Dow.
American Consul
Kanagawa.

The reason given for these precautions is the admitted insecurity of their streets at night.

While we have an undoubted right, to claim from the Japanese Government, the same protection that is given to its own subjects, we are not released from the duty, of taking the same precautionary measures, for our protection, that the Japanese themselves adopt for that purpose.

I would also recommend to all American Citizens and shipmasters, that they should watch the conduct of Sailors, when on shore, and that whenever they observe any evidence of riot or turbulence among the Sailors, that they should cause them to be arrested and taken before you.

I am credibly informed that during the afternoon of the 26th inst. a number of intoxicated foreign Sailors were conducting themselves, in a very riotous and disorderly manner, in the streets of Yokuhama, and it is quite possible, that some persons outraged by them, have sought their revenge, which has unhappily fallen on quiet and orderly Persons.

I have to request you, to communicate the foregoing, to all American Citizens, now residing within your Consular jurisdiction, and also to those, who may hereafter arrive therein.

I am Sir,

Your obedient Servant.

(Signed) Townsend Harris

Inclosure
to Dispatch No 10.

No: 8.

Duties imposed on Americans
of Letter from Minister Resident -
Letter to Consul at Kanagawa

Yedo March 8th 1860

Rec 28. July. Mr Markoe

N: 11.

Legation of the United States
Yedo March 31st. 1860.

Sir,

In my N: 10, dated the 10th instant, I informed you of the numerous murders that had been perpetrated since August last.

I have now to inform you of an occurence, of a grave character.

I am officially informed, that on the 24th instant, as the Prince of Tamon, who is guardian of the young Tycoon, and hereditary Regent of the Empire, was proceeding to the palace of the Tycoon, he was attacked by a band of the followers of the old Prince of Mito, some thirty in number.

The Regent was said to be wounded and eight or ten of his followers slain. Two of the assailants were killed, and eight were arested. This is the official account, but from reports in which I place confidence, I believe the Regent was killed on the spot.

I am also officially informed, that a rebellion has broken out in the Principality of Mito, where

To the Honourable Lewis Cass
Secretary of State
Washington.

where the Tycoon resides.

I cannot obtain an interview with the Ministers for Foreign Affairs, nor can I procure any reliable information, on which to base an opinion as to the future.

If I am to believe, what I hear, a civil war is imminent, but I doubt the correctness of all the repots, I receive.

It is evident however, that the Government is seriously alarmed, Guards are increased at all points, and many new Guard posts established, and I have seen a number of new shells (18 & 24 pounders) conveyed to the castle.

While I am relieved from the oppressive feeling, that Foreigners were the exclusive objects of attacks, yet I cannot conceal the fact, that my opinion of the efficiency of the Japanese preventive and detective police, has been greatly diminished by this affair.

Since this occurrence, the Guard at this Legation has been doubled and other measures adopted, to give me increased protection against any sudden attack.

I repeat to you my conviction of the good faith of the Japanese Government, and of its sincere desire to protect me, and if anything should happen to me, I do not think, it should

be

be held responsible, so long as it continues its present exertions for my safety.

I have the honor to be

Very respectfully

Your obedient Servant,

Townsend Harris

U. S. Legation
Yedo, March 31. 1860

Townsend Harris

No: 11.

No Enclosures

Rec.

Death of Regent of Japan

Rec 28 July. Mr Marcoe

N: 12.

Legation of the United States
Yedo, April 2: 1860

Sir,

I have the honor to transmit herewith, numbered 1, my account for salary from the 1 of January to the 31st of March inclusive, and to inform you, that I have drawn on the Department, in the prescribed form for Seven hundred Twenty nine $\frac{56}{100}$ Dollars, which draft is supported by the required vouchers. N: 1

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

To the Honorable Lewis Cass.
Secretary of State
Washington.

U. S. Legation
Yedo, March 31. 1860

Townsend Harris

N: 11.

No Enclosures

Rec.

No. 11. T. Harris. Yedo. 31 March, 1860.

Death of Regent of Japan

Rec 28 July. Mr Marcoe

N: 12.

Legation of the United States
Yedo, April 2d 1860

Sir,

I have the honor to transmit herewith, numbered 1, my account for salary from the 1 of January to the 31st of March inclusive, and to inform you, that I have drawn on the Department, in the prescribed form for Seven hundred Twenty nine $\frac{56}{100}$ Dollars, which draft is supported by the required vouchers. N: 1

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

To the Honorable Lewis Cass.
Secretary of State
Washington.

U. S. Legation

U. S. Legation

Yedo, April 2: 1860

Townsend Harris.

No: 12

1 Enclosure & 8 Vouchers.

Rec.

No. 12. T. Harris - Yedo. April 2. 1860.

With quarterly Account

Rec 28. July. Mr Marcy

No: 13.

Legation of the United States
Yedo, April 2. 1860.

Sir,

I have the honor to transmit herewith, account for contingent Expenses for the quarter ending March 31. 1860, showing a balance in my hands of Three hundred Seven 38/100 Dollars. No: 1

I have the honor to be,
Very respectfully
Your obedient Servant,
Townsend Harris

To the Honorable Lewis Cass.
Secretary of State
Washington.

No. 13. T. Harris. Yedo. 2 April 1860

U. S. Legation

Yedo, April 2/60

Townsend Harris

No 13.

1 Enclosure. 5 Vouchers.

Receipt

Will account for

Contingent Expenses

Rec'd 16. Nov. - Mr Martin
Naples

N° 14.

Legation of the United States
Leeds, April 9th, 1860.

Sir,

I have the honor to acknowledge the receipt of your dispatch, dated December 14th, in which you inform me, that two drafts made by me, for the sums of $ 998.$^{71}/_{100}$ and $ 967.^{40} respectively had been presented to the Department for payment, but that I had not rendered any accounts for the same.

You further inform me, that on enquiry at the office of the Fifth auditor, you find that my accounts down to December 31st 1858 had been adjusted and that a balance of $ 459.^{60} had been found to be due from me.

You also inform me, that I have improperly combined in one, items that should have been embraced in three accounts.

I trust that I shall be able to convince you, that I have not been negligent in making up and forwarding my accounts, and that any irregularity in the form of stating them has arise

To the Honourable Lewis Cass
Secretary of State
Washington.

arisen from my implicitly following, what I supposed to be my instructions.

My accounts are made up the day, I receive the vouchers for the sale of my Bills, and they are promptly forwarded to you, but unfortunately, as there is no regular mail with this country, I am compelled to send my despatches by Merchant vessels. Many Merchant vessels refuse to take any letters whatever, others receive them, but delay the delivery of them for weeks and months after the vessel has arrived. There is a very general action among the Merchants here, to obstruct the transmission of intelligence from this Country, so far as may be in the power of each individual, and they justify this proceeding on the ground, that to do otherwise would be injurious to their interests: To show the extremes, to which this practice is carried, I state the following fact.

When I draw my Bills on Messrs Baring & Co. for Salary and contingent Expenses, I write a letter of advice, which I give to the Merchant, to whom my Bills are sold, he knowing that the letter does not contain anything beyond the simple advice of the Bill, yet so inveterate is the habit of detaining letters, that my advices are not received by Messrs Baring, until long after they have paid the Bill. In one case it

was

was over three months after the payment was made, before my letter reached their hands.

In your despatch to me N. H, dated May 31. 1859, you wrote me in reference to my accounts as follows.

"It would have been better had you "embraced all these in two accounts, one for salary "and fees, and one for contingent expenses, including "pay of Interpreter:

"The adoption of such a rule in future "will save yourself and the Department much "unnecessary trouble;"

I had previously received a letter from the Fifth Auditor to the same effect, and implicitly obeying what I supposed (perhaps erroneously) to be my instructions, I made up all my accounts after January 1st 1859 under the two heads, stated in your despatch above referred to. I hand you herewith N:1 Vouchers for the item charged for office rent, and also N:2. Vouchers for charges, attending my Mission to Yedo, in 1857. 1858, which I trust will be satisfactory to you. N: 1 N: 2

In reference to the sum of $459 $\frac{60}{100}$ I beg to state, that this sum was charged to me, by the rejection of charges for losses of exchange, this rejection being on the ground, that the charges

were

were not accompanied by the form of vouchers, required, when the accounts were presented for adjustment. When I was informed of this decision, I wrote to the Fifth auditor requesting him, to review his decision on the following grounds.

1st That the vouchers for a part of the Bills were made out in perfect accordance, with the then existing form, and that the order requiring a new form of voucher was not issued, until after the date of the Bills referred to.

2d That in reference to the remainder of the Bills, the Form of Voucher required by the new Regulation was not received by me, until after the bills had been drawn, and the accounts made out and sent forward.

3d That the making the order retrospective, was in the nature of ex post facto legislation, and I therefore considered it, as being erroneous.

In reply the Fifth auditor declined to alter his previous decision, and I then appealed to the Comptroller and on receiving an adverse decision from him, I appealed on the 21st of February last, to the Secretary of the Treasury; to this last appeal I have not as yet received a reply.

In this matter, there is no question except one of mere form; the fact of the correctness of the sums, charged for losses in Exchange is not disputed.

I have only to add, that if I shall fail in having this just claim allowed, I will pay

the

the amount into the Treasury, after I shall have exhausted, all the proper means of obtaining a reversal of what I cannot but consider as an improper decision.

I have the honor to be,
Very respectfully
Your obedient Servant.

Townsend Harris

Yedo. April 9. 1860

Townsend Harris.

No: 14.

2 Enclosures

Received.

To be returned to
Mr Stubbs,

Answers dispatch of December
14, 1860, and vouchers.

U. S. Consulate General, Simoda Japan.

State Department of the United States

to Townsend Harris Dr.

For office rent from the 1st day of January 1857, to the 30th day of June 1859, 2½ years at $ 200. per annum. $ 500.—

For loss in exchange on bills, the same being at the rate of 72.2. per dollar 192.52

$ 692.52

The above is included in draft on the State Department dated August 7th, 1859 for $ 998.7/100, see Voucher N. 9, with account for Contingent Expenses of that date Also see despatch 23 of October 25th 1857.

Townsend Harris

I certify that Mr. Harris set apart a portion of his house at Simoda as a public office and that the same was used for that purpose from the 1st day of January 1857 to the 30th day of June 1859, as set forth in the above account

J. C. Williamson

Enclosure

to despatch N: 14.

N. 1.

Vouchers for office rent

Duplicate.

United States Consulate General

Simoda, January 1. 1859.

State Department

To Townsend Harris Dr.

For the following extra expenses attending the mission to Yedo, commencing November 23d. 1857 and terminating July 9th. 1858.

For Norimonbearers employed on 209 days equal to 3877 men for 1 day	Seni 2487.008
For food for the same on the road from Simoda to Yedo	60.084
Clothing for the same men	341.636
For Guards employed on 207 days, equal to 717 men for one day.	679.655
For food for the same on twenty days	11.022
Clothing for guards.	304.813.
	3886.218

at 1600 seni per Itsebu is Itsebus 2428, Seni 1418

at 34½ cts per Itsebu is $837.97.

See despatch N: 13. September 11th, 1857.

U. S. Legation Yedo August 9th 1859.

I certify the foregoing items to be true extracts from my accounts with the Japanese Government, and I do further certify that thirty four and one half cents is the value of the Itsebu in American currency.

Townsend Harris

U. S. Legation Yedo, April 4th, 1860

I certify that the above expenses were incurred and paid by Mr. Harris at the time and for the purposes set forth in the above statement.

Interpreter to the U. S. Legation at Yedo.

Enclosure

to despatch No. 141

No: 2.

Voucher for expenses of
mission to Yedo.

Rec'd 16. Nov. Mr Marcy

No: 15.

Legation of the United States
Yedo, April 21. 1860.

Sir,

On my despatch No: 11. dated March 31. I informed you of the assassination of the Regent of this Empire, and of the various exciting rumours, then in circulation.

From the extraordinary reticence observed by all official Personshere, it is extremely difficult to obtain authentic information, on important subjects, and almost impossible to ascertain, the action, present or future of the Government in relation to public matters.

It is evident however, that the excitement, which prevailed at the date above referred to, has greatly diminished, and that the fears of an approaching civil war have entirely subsided.

Arrests continue to be made of the followers of the Prince of Mito, who are implicated in the murder of the Regent, but I am informed, that none of them will be tried, for the offence, until all the Parties incriminated have been arrested.

It is rumoured that the death

of

To the Honourable Lewis Cass
Secretary of State
Washington.

Enclosure

of the Regent is not regretted by either the Tycoon or the Council of State; it is said, that his arrogance and pride were quite insufferable, and that he often obstructed the business of the Government to the injury of the State and without any apparent motive for his action, beyond the mere desire of exercising his powers.

It is also reported, that the Prince of Mito, notwithstanding his orders, for the murders of various Foreigners, is strongly in favor of the new order of things, and that he has always advocated an entire change of the Policy of this Government in relation to Foreign Affairs, and it is suggested, that his views on this subject were among the causes, that led to the rejection of his son, as a candidate for the Tycoonship.

I give you these as rumours simply, without in any way, vouching for their authenticity.

The Ministers are so exclusively occupied by the late events, that I cannot transact any business with them, and the question as to when I am to have my audience is for the present postponed.

I have the honor to be

Very respectfully

Your obedient Servant,

Townsend Harris

U.S. Legation

Yedo April 21. 1860.

Townsend Harris

No: 15.

No Enclosures

Received.

Internal state of Japan,

Rec'd 16. Nov. Mr Marcoa

U.S. Legation

No. 16.

Legation of the United States
Yedo, May 15th, 1860.

Sir,

I am informed by Mr. Alcock, H.B.M. Envoy Extraordinary &c. in Japan, that by the direction of his Government, he enquired of the Japanese Ministers for Foreign Affairs, whether they would make a Treaty of Amity and Commerce with the Belgian Government, if a respectful Mission should be sent here, for that purpose.

In reply to this enquiry, the Japanese Ministers stated, that Japan was a small country; that it produced but a small surplus of anything; that they feared if they opened the country to more Traders, it would cause great distress among their People, by enhancing the price of all their productions; that the Treaties already made gave them great trouble and caused them much embarassment; and concluded by saying, that if at any future time, they made Treaties with other than the present Treaty Powers, they would.

To the Honourable Lewis Cass.
Secretary of State
Washington.

would then make one with Belgium.

I understand the same answer has been made to a Mr. Lindau, who was charged by the Chief of the Treasury Department of the Swiss Confederation, to make a similar enquiry.

When I negociated the Treaty of Yedo, the Japanese Commissioners informed me, that they would be prepared to make Treaties with all the Western Powers, who might send proper Missions to them.

Towards the close of 1858, the Japanese gave to Mr. Curtius, the Dutch Commissioner a written promise, to conclude a Treaty with Portugal.

The present action of the Japanese in this matter, is perhaps not altogether the result of their reactionary spirit, but may in part be attributed, to the extraordinary advance in price, at the opened Ports, in the articles of raw silk, oil, wax, Tea, fishglue, and a variety of other Articles, which are of prime necessity among the Japanese. I am informed that the advance in price is from 100 to 300 percent, over the prices, that obtained prior to July 4th. 1859.

I have the honor to be,

Very respectfully

Your obedient Servant

Townsend Harris

U. S. Legation

Yedo May 15. 1860.

Townsend Harris

No: 16.

No Enclosures

Received.

Advances of Belgium &
Switzerland to make Treaties

Rec'd 16. Nov: Mr Marcoa.

U. S. Legation

No 17.

Legation of the United States
Yedo, June 7. 1860.

Sir.

I have the honor to acknowledge the receipt of your dispatch No: 7 of November 25th, 1859. informing me, that the Prussian Government will send an expedition to Japan, for the purpose of securing to its subjects, the benefits of commerce with that country.

You also inform me that Count Eulenberg will be charged with the negociations necessary to secure the object of the Mission, and you direct me to aid and facilitate the objects of the Expedition, in such manner as I may deem advisable and proper.

It is hardly necessary for me to assure you, that I will cheerfully give Count Eulenberg a cordial and loyal support, and that I will spare no proper effort to secure the object of his mission.

In my No 1 bis of May 15th, I had the honor to inform you, that official applications to the Japanese Government, to make Treaties with Belgium and the Swiss Confederation had been refused, and I fear the precedent found in those decisions

To the Honorable Lewis Cass
Secretary of State
Washington.

decisions, will prove a very serious obstacle to the Prussian Mission, and that it may lead to present disappointment.

I have the honor to be
Very respectfully
Your Obedient Servant.

Townsend Harris

U. S. Legation
Yedo June 7. 1860.

Townsend Harris

No: 17.

No Enclosures.

Recd

Rec'd Sept

Rec'd 16. Nov. Mr Marcoe

No: 18.

Legation of the United States
Yedo, June 14th 1860.

Sir,

A number of American vessels have been chartered by the French and English Commissariat Departments for the purpose of transporting troops from the Ports of Japan to the Coast of China.

These vessels hoist the flag of the Nation, by which they are chartered, and do not present their papers to the American Consul at the Ports, at which they severally arrive.

I have received a letter from M. Walsh United States Consul at Nagasaki, asking for instructions, as to the course he should pursue in regard to such vessels. I hand you herewith, numbered 1. the letter of M. Walsh, together with my reply to the same, dated 13th instant, numbered 2. I respectfully request your perusal of these enclosures. No: 1 No: 2

I was at a loss what directions to give to M. Walsh and my embarassment was increased by

To the Honourable Lewis Cass.
Secretary of State
Washington

by the fact, that I have no copy of the Statutes at Large of the United States, to which I could refer, but relying on the correctness of the public reports, that during the crimean war, many American vessels were employed by the Governments of England and France, to convey supplies to the Ports of the Black Sea, I concluded not to interfere with the vessels so employed in Japan, until I should receive special instructions from you to that effect.

I have the honor to be

Very respectfully

Your obedient Servant

Townsend Harris

U. S. Legation

Yedo, June 14th, 1860

Townsend Harris.

No: 18.

2 Enclosures.

Recd.

American vessel under
Foreign colors

No. 12

Consulate U. S. of America
Nagasaki May 17th 1860.

Sir.

Vessels, which I have every reason to believe are American built & owned; and which are Sailed by American Captains & Crews, are arriving here under the English Commissariat flag, & in their intercourse with the local Government and myself, claim to be English Govt. Vessels & exempt from the entrance & clearance fees due to the Japanese Govt. according to the American treaty, and the usual Consular fees to the U. S. Government.

I beg to know if this is in accordance with U. S. Laws or Customs; & if not, what steps I shall take in regard to it —

I am Sir
Your obedient Servant
Geo. Fitch.

To
Townsend Harris Esq
American Minister & Resident
Yedo.

Enclosure
with Despatch N: 18.

N: 85

U. S. Consul
Nagasaki May 17. 1860
R. June 8 "
A. - 13

N: 1.

Letter from Nagasaki Consul.

Nagasaki. May 17. 1860

American vessels under

American vessels under

Copy. No: 60.

Legation of the United States
Yedo June 13th. 1860

Sir,

I have to acknowledge receipt of your despatch No: 12. dated May 17th

In reference to American vessels, that may arrive at your Port, under the English Commissariat Flag, I have to state, that if such vessels are furnished with proper papers, by the English, I am of opinion, that they are not required to deposit their papers at Your Consulate, nor pay your usual fees.

If however they are only in possession of their American papers, you can require them to make the regular deposit of their papers with you, and if they refuse to comply with the law in that respect, the course you are to pursue is clearly stated in your Consular Instructions.

I have the honor to be,
Your obedient Servant.
(Sign) Townsend Harris.

M. John G. Walsh.
American Consul
Nagasaki.

A true copy
W. Heusken

Enclosure

with despatch N: 18

N: 2.

Answer to Nagasaki Consul -

Yedo, June 13. 1866

Rec'd 16. Nov: Mr Marcy

No: 19

Legation of the United States
Yedo, July 2: 1860.

Sir,

I have the honor to transmit herewith, numbered 1, my account for salary from the 1st of April to the 30th of June inclusive, and to inform you that I have drawn on the Department in the prescribed form for Seven Hundred Twenty nine $\frac{56}{100}$ Dollars, which draft is supported by the required vouchers. No: 1

I have the honor to be -

Very respectfully
Your obedient servant

Townsend Harris

To the Hon. Lewis Cass.
Secretary of State
Washington

U. S. Legation

Yedo, July 2d. 1860

Townsend Harris.

No:

1 Enclosure - 3 Vouchs

Received.

With quarterly account

Rec'd 16. Nov. Mr Marcy.

No: 20.

Legation of the United States,
Yedo July 2d 1860.

Sir,

I have the honor to transmit herewith, number 1, account for contingent expenses for the quarter ending June 30th 1860, showing a balance in my hands of One $\frac{06}{100}$ Dollar. No. 1

I have the honor to be,
Very respectfully
Your obedient Servant.

Townsend Harris

To the Hon. Lewis Cass
Secretary of State
Washington.

U. S. Legation

Yedo, July 2d. 1860.

Townsend Harris.

No. 20

1 Enclosure. 4 Vouchers.

Rec'd.

With quarterly account

Rec'd 16. Nov.

No: 21.

Legation of the United States
Yedo, July 5th, 1860.

Sir,

The Japanese Government Steamer Candinamarca, left Yedo Bay in February last, for San Francisco, in charge on her outward voyage of Lieutenant Brooke of the United States navy as Navigator.

The Steamer arrived here via the Sandwich Islands, on the 1st instant, and on her return voyage was navigated by the Japanese alone. This is the first instance, that a vessel conducted solely by Asiatics, has successfully crossed the great North Pacific Ocean, and strikingly proves the Japanese to be so capable of improvement, that they might soon place themselves at the head of oriental enterprize, if they were allowed freely to cultivate the great powers they possess.

The Commander of the Steamer with two of the Governors for Foreign Affairs called on me to day. They said they came by the command of the Tycoon, and that they were directed to express to me

To the Honorable Lewis Cass
Secretary of State
Washington

U. S. Legation

me His Majesty's sincere thanks for the friendley and cordial manner, in which the commander and officers of his Steamer had been received by the Authorities and people of San Francisco. They were directed to thank me particularly for the complete repairs of the Steamer at the United States Navy Yard at Mare Island, and express the deep sense His Majesty entertained of the kindness and courtesy of Captain Cunningham the Commander of the Navy Yard.

The reports of the officers of the Sundina-marrah and the letters received from the Embassey with full accounts of their reception at San Francisco and the kindness shown them by all classes of our People, have as I am informed produced a lively sensation, especially among the Nobles, heretofore opposed to the Treaty of Yedo.

One of the officials naïvely remarked to me "we did not believe you when you told "us of the friendly feelings of your Country for us. "but we now see, that all you said was true".

When the Ambassadors return here and relate their reception by the President and repeat their large experience in the United States, and when they state, what they have seen of the greatness and prosperity of our Country, I believe it will have an important effect on the

the minds of the recalcitrant Dimios and lead to a better state of feeling on their part towards us, and towards intercourse with Foreign Nations.

I have the honor to be,

Very respectfully

Your obedient Servant.

Townsend Harris

U. S. Legation
Yedo July 5. 1860.

Townsend Harris.

N. 21.

N. Enclosures.

Receive.

Arrival of Steamer
Candinamore Sailed in Japa

Recd 16. Nov

~~To be acknd to Sec. State~~

Mr Morrison

No: 22.

Legation of the United States
Yedo, July 11. 1860.

Sir,

Our Treaty with this Country went into effect on the 4th of July of last year, yet it cannot be said, that much commercial business was transacted, before the month of September last, so that the actual transactions are comprised within a period of about ten months.

The amount of exportable articles brought for sale has far exceeded my expectations, and although I have no official statements, on which to base my opinion, and am therefore compelled to take secondary information, as to the aggregate of the export trade of this Country, during the period named above, I believe that I am quite within the amount, when I state the total to be five millions of Dollars.

The principal articles exported, were Raw Silk 3000 Bales; Tea 15000 chests; vegetable wax and oil to the value of half a million, and manufactures

To the Honourable Lewis Cass
Secretary of State
Washington

U.S. Legation

manufactures of silk, copper and lacquered ware, Considerable quantities of Tobacco, paper, Camphor, Flour, Peas, Beans, edible seaweed, isinglass, Beche le mer, and dried oysters and limpets with various other articles, have been shipped for the China markets.

Four vessels with cargoes have cleared for Ports in the United States, but this only represents a portion of the American interests in this Country, as a large amount of American Capital and Tonnage finds a profitable employment in the Trade with China, and at Kanagawa American Citizens form more than a moiety of the Foreign population.

The production of silk and Tea can no doubt be largely increased, as the Japanese admit that they have not heretofore reeled all the Cocoons produced, or picked all the Tea grown.

The Japanese have already learned the manner of preparing Tea for a Seavoyage, and I am of opinion that within a few years, the choicest Teas, known in the United States, will be of Japanese production, as many of the sorts are superior to any of the Teas of China.

But little has been done as yet with Imports and the establishment of an extended trade, must of necessity be the work of time. To a certain extent, new wants must be created among

the

the masses, and what is of equal importance, they must discover that the labour now expended by them, in producing a given Article will, when directed to another employment produce in exchange, either more than they now obtain, or an Article, that is preferable to their own..

Attention has been directed to the procuring goods of lengths, widths, colors and patterns suited to Japanese taste; this is an important step in the right direction; for American Manufactures, I am of opinion, that the heavey cottons, known in commerce as drills, jeans, sheetings and shirtings, will be the earliest in demand.

A careful review of the commercial operations for the last ten months, shows a satisfactory result, and if an ordinary degree of prudence, in dealing with the Japanese is observed by the Foreigners, who come to this Country, it cannot be doubted that a large and beneficial intercourse can be securely established in Japan, and that but a few years will be required, to secure so desirable a result.

I have the honor to be,

Very respectfully

Your obedient servant

Townsend Harris

U. S. Legation.

Yedo July 11. 1860.

Townsend Harris -

No 22.

No Enclosures

Received.

Trade.

Rec'd 16. Nov. Mr Mackie

N: 23.

Legation of the United States
Yedo, July 16th, 1860

Sir,

In my dispatch N: 51 dated November 7th 1859, I had the honor to inform you, that the ceremonial that was observed at my audience of His Majesty the Tycoon on the fifth of that month, presented a most unfavourable contrast, to the ceremonial, observed at my first audience. I had also the honor to inform you, that I believed the omissions were intentional, and that they were purposely made, with the view of placing the Representative of the United States, in a humiliating position, before the Japanese. I added that I should demand satisfactory explanations from the Japanese Government.

In my despatch N: 5, dated February 1st I had the honor to forward copies of my correspondence with the Japanese, in connexion with this matter, and to inform you, that I had brought the questions, connected with the above, to a satisfactory conclusion

and

To the Honourable Lewis Cass
Secretary of State
Washington

and that I should have a new audience in a short time.

The murder of the Regent of this Empire on the 24th of March, caused my audience to be postponed so that it was not, until the 7th of June, that the subject was resumed by interviews between the Governor for Foreign Affairs and M. Heusken of this Legation, for the purpose of settling the details of the ceremonial to be observed and reducing the same to writing.

This was completed on the 11th instant and
No. 1 I enclose herewith, numbered 1, copy of the ceremonial as agreed on.

I am extremely solicitous Sir, that my action in this matter, should be clearly understood by you. I have not attempted to introduce any new ceremonial at this Court, on the contrary, I have in all my correspondence with the Japanese Ministers on this subject, simply required, that the ceremonial observed at my audience of December 7th 1857, should not be altered or departed from, and I had the more right to claim this, as all of that ceremonial was arranged by the Japanese themselves, without any consultation with me.

I remonstrated against the alterations made in the ceremonial, on the ground, that they bore the appearance of intentional slight on the Government, I had the honor to represent.

No. 2 I enclose herewith, numbered 2, copy

of

of a letter on this subject addressed to me by Mr. Alcock, the English Envoy to this Court. I also enclose, numbered 3, copy and translation of a similar letter from M. de Bellecourt, French Chargé d'Affaires in Japan. No: 3

I respectfully request a perusal of the enclosures 2 and 3.

I have the honor to be,

Very respectfully

Your obedient Servant.

Tonnsend Harris

Yedo July 16. 1860

Townsend Harris.

No. 23.

3 Enclosures.

Received.

Audience.

Memorandum of ceremonies to be observed on the occasion of the audience of the American Minister.

1st A Person of the rank of cami to attend the Minister, from his residence to the Palace, and to return with him.

2d From the Minister's residence to the Palace and back, guards with staves will be placed on both sides of the road, where the train is to pass. No person, whatever his rank may be, will be allowed to pass between the above two files of guards.

3d Proper arrangements shall be made at the gate of the Palace, to keep order among the servants, and other Persons assembled there.

4th The Minister will leave his norimon on as honorable a place, as the one, he alighted on, at his audience of December 7th, 1857.

5th The Minister to be conducted to a room in the Palace, and not into a mere passage or corridor.

6th His Majesty and the courtiers will wear the same caps and coustumes, as were worn on the occasion of the audience of December 7th, 1857.

7th On entering the audience chamber the Minister will bow three times, as he walks in, after he has arrived at his place, he will address His Majesty, who will make a reply. After

His

His Majesty has ended his speech, he will bow to the Minister (as a sign that the audience is over), who will then retire making three bows.

8 The Minister will then be conducted to a room, where he will be received by the Council of State and Compliments passed.

9th The Minister will then proceed to another room, where he will take leave of the Council of State.

with despatch N: 18.

N: 1.

Memorandum of arrangements at the audience.

Copy.

H. Ms. Legation Yeddo

No. 48. July 14. 1860.

Sir,

I have the honor to acknowledge the receipt of your letter of the 12th inst. referring to the arangements entered into, for your next audience of the Tycoon.

I beg to congratulate you on the termination of this protracted discussion and the result obtained in the common interest. As regards the form the 4th proposition has taken, the Japanese have only lost ground in their desire to retrench something of the ceremony.

In reference to the other disputed point the place of descent from the norimon, we are I conceive necessarily and unfortunately very much in their hands from our ignorance of what the Japanese code of etiquette and ceremonial would prescribe, and we can hardly hope, they will not abuse their advantage. But for this, there is obviously no remedy, and such points can only be contested, when we can speak with some certainty as to what is due to the Representative of a Sovereign of equal rank, according to their own code of usages.

Townsend Harris Esq.
Minister of the U.S. of America.
&c. &c. &c.

having no pretension to impose upon them the ceremonial of Western Courts.

Indeed the most satisfactory part to me of all these discussions, lies in the fact, that while Foreign Representatives on the spot, cannot doubt the importance of the things contended for, they are equally persuaded that at a distance, they are very liable to be regarded as puerilities or trivial matters, which involve no important principle, and are undeserving alike of serious effort or attention.

But those, who live for any time among the Japanese must know, how often the existence of any living or active principle, depends upon the outward form assumed. Around and for these forms is the stress of battle, simply because both Parties instinctively feel, and by daily experience are taught their importance. The mode of address or salutation, the forms of reception and leave-taking, the footing upon which the intercourse between any two persons in Japan is conducted, are all important, as determining the respective position of the Parties and the consideration or position, to which they may justly lay claim. The degree of moral and political influence a Diplomatic Agent may exercise is absolutely contingent on these conditions.

With the Japanese the outer form determines

all

all the rest, it seems to me. By it alone they recognize the spirit, and realize either its existence or real character. So at last by a natural process, they appear to have come to the conclusion, that the existence of their institutions is in some way inseparably connected with a rigid adherence to established forms and regulations. They fight for these indeed as though they saw in them the bulwarks of their national life and independence.

The Foreign Representatives see the necessity of being no less resolute and earnest in resisting this tendency, and more especially the maintenance of certain forms only calculated to convey derogatory notions to the prejudice of their respective nationalities, because however disposed to look upon all forms as in themselves of no importance, they cannot fail to observe that here, they stand for things. They see each hour fresh evidence, that he who yields the form, relinquishes the principle, and the substance contended for. They are inseparably bound in one. Outer husks or coverings though they be, they are not like garments which may at pleasure be discarded or changed, but have a vital connection like the bark of a tree or the seed pod, and determine not only the development but the kind of fruit, which is to be the result of any future growth.

Wheth

Whether that shall be such as all Nations may rejoice and participate in with mutual advantage, or only what is deleterious or at least of no value to any one, I am deeply persuaded will depend upon these moulding forms and the issue of precisely such struggles as you have recently concluded with advantage. With this conviction allow me once more to congratulate you on the result and excuse the length to which these observations have extended, the interest of the subject having led me involuntarily into something of a disquisition, when my original intention was simply to express my satisfaction at your success.

I have the honor to be
Sir,
Your most obedient
humble servant
(signed) Rutherford Alcock

Enclosure
with dispatch No. 23.
No: 2.
Letter from British Minister
Yeddo July 14. 1860.

Copie.

Légation de France au Japon. Yedo, 14 Juillet 1860.

Monsieur le Ministre,

J'ai reçu avec bien de plaisir la lettre, par laquelle Votre Excellence veut bien m'informer de l'heureuse solution qui a été donnée à ses justes demandes, au sujet du programme de son audience chez le Taï-coun, et en la remerciant de cette cordiale communication, je m'empresse de lui faire parvenir mes félicitations, sur le succès de démarches, qui intéressent tout le corps diplomatique, accrédité à Yedo.

Veuillez agréer Monsieur le Ministre, l'assurance de la haute considération et des sentimens devoués, avec lesquels j'ai l'honneur d'être

de Votre Excellence,
le très humble et très
obéissant serviteur
(signé) Duchesne de Bellecourt.

A son Excellence.
Monsieur Townsend Harris
Ministre des Etats Unis d'Amérique au Japon.
Yedo.

En closure

English Translation

Legation of France in Japan. Yedo, July 14th, 1860.

Sir,

I have received with much pleasure, Your Excellency's letter, in which you inform me of the happy result which has attended your just demands relating to your ceremonial of audience, at the Tai coon's, and I thanking you for this cordial communication, I hasten to congratulate you on the success of steps, in which the whole diplomatic corps, accredited at Yedo, is interested.

Please accept Sir, the assurance of the high consideration and devoted sentiments, with which, I have the honor to be

Your Excellency's.

Very Humble and very obedient Servant.

(signed) Duchesne de Bellecourt

A true translation

W. H. Heath

Enclosure

with despatch N° 23.

N: 3.

Copy and Translation
of despatch from French
Chargé d'Affaires.

Yedo July 14. 1860

Rec'd Nov. Mr Monroe

No: 24

Legation of the United States
Yedo, July 24th, 1860

Sir,

I have the honor of transmitting you herewith, numbered 1, letter from the American Consul at Kanagawa, acknowledging receipt of the Eleventh volume Statutes at Large of the United States for the use of the Consulate. No: 1

I am Sir have the honor to be,
Very respectfully
Your obedient Servant

The Honourable Lewis Cass,
Secretary of State
Washington.

Yedo July 24: 1860.

Townsend Harris.

No: 24

1 Enclosure

Receipt.

Receipt for Statutes at large.

Consulate of the United States of America
Kanagawa 28. July 1860

Sir

I have to acknowledge receipt of your note of this date accompanied by the Eleventh Volumne Statutes at Large of the United States. for the use of this Consulate.

I am Sir
Your obedient Servant

E. M. Dorr

Townsend Harris Esquire
American Minister Resident
Yedo.

Yedo July 24: 1860.

Inclosure

with despatch N: 24

N: 1.

Receipt for 11th volume
Statutes at large.

Kanagawa July 23d. 1860.

Rec'd Nov. Mr Norton

No. 25.

Legation of the United States
Yedo, July 27. 1860

Sir,

In my despatch N. 50, dated October 28th 1859, I had the honor to inform you, that I had received reliable information, that the Harbour of Nee-e-gata had only nine feet water on its bar, and that the anchorage in the roadstead was insecure.

I also expressed the opinion, that the acceptance of Nee-e-gata by permitting our citizens to go there, might prove a serious impediment to the procuring a suitable Harbour in place of Nee-e-gata, as provided by our Treaty.

I had also the honor to inform you, that moved by the foregoing considerations, I had issued a notification, that the above named Port would not be opened, on the 1st day of January 1860.

On the 31st of October 1859, I addressed a letter to Flag Officer Josiah Tattnall, desiring him, to cause the Coast of Nipon to be surveyed so far as would enable me, to select a suitable Harbour.

To the Honorable Lewis Cass
Secretary of State
Washington

Harbour, in lieu of Nee-e-gata.

No: 1 I transmit herewith, numbered 1, copy of that letter. Not hearing from Flag officer Tattnall or his successor in reference to this survey, I addressed Flag Officer L. K. Stribling, on the 26th instant, to the same effect, a copy of this letter is transmitted herewith, No: 2. numbered 2.

In my letter to Flag Officer Stribling, I have requested him, whenever the Public Service would permit, to furnish me with a conveyance, to the Ports opened and to be opened, by our Treaty, and also to the Port of Tsuruga. This Port is in the vicinity of Nee-e-gata, and is represented to me, as possessing all the requisites of a good commercial Harbour, it is a city of 75000 Inhabitants and the commercial centre of a fertile district, producing large quantities of Silk and Tea.

I deem it of importance that the Representative of the United States, should possess a personal knowledge, not only of all the opened Harbours of this Country, but of such non opened ones, as he may be able to visit.

I trust my intended action in this matter, will receive your approval.

I have the honor to be

Very

Very respectfully
Your obedient servant.

Townsend Harris

U.S. Legation

Yedo July 27. 1860.

Townsend Harris.

N. 25.

2 Enclosures

Recd.

Port of Nee-e-gata.

Visit to the Port

Copy.

Legation of the United States
Yedo, October 31st 1860.

Sir,

By the 3d Article of the Treaty of Yedo, it is provided, that if the Harbour of Nee-e-gata is found to be unsuitable for American vessels, that another Port on the West coast of Nipon, should be selected by the two Governments.

Having received reliable information, that less than nine feet of water is found on the bar, and that the roadstead is dangerous as an anchorage, I have issued a notice, that the Harbour will not be opened on the 1st of January next.

To enable me to select a Port, in lieu of Nee-e-gata, I require accurate information as to the Port, nearest to it, which offers a safe Harbour and facilities for supplies and for conducting trade.

This information cannot be obtained by me in a satisfactory shape from the Japanese Government, and I believe that no foreign surveys of that coast have as yet been made. I am therefore compelled to.

To Flag Officer Josiah Tattnall
Commander in Chief of the U.S. Naval Forces
in the India, China & Japan Seas.

to request you, to direct one of the vessels under your command, to make the necessary surveys as speedily as may be consistent with the interests of the Public Service.

The spirit of our Treaty means, that the Harbour having the necessary prerequisites, which is situated nearest to Nee-e-gata (whether Northerly or Southerly) should be selected.

Nee-e-gata is on the Island of Nipon. and opposite to the Island of Sado.

If the Officer in command of the vessel, that makes the Surveys, would communicate with me, it will greatly facilitate the settlement of the business, and letters will be forwarded to me, by the Authorities at Nee-e-gata, or at any other place on the West Coast of Nipon.

I need not point out to you, the importance of having the Surveys made, as speedily as possible, as until they are completed, American Citizens are deprived of the benefit of the trade of the West Coast of Nipon.

If you are unable to act in this matter, before you leave your command in these seas, permit me to request you, to place this letter in the hands of your Successor.

I have the honor to be,

Very respectfully

Your obedient Servant

(Signed) Townsend Harris.

Enclosure

with dispatch No: 23.

No: 1.

dispatch to Flag officer Tattnall.

Yedo

October 31. 1859.

Copy. No: 91.

Legation of the United States
Yedo. July 26th. 1860.

Sir,

I have the honor to hand you herewith the Copy of a letter addressed by me to Flag officer Josiah Tattnall on the 31st of October last, on the subject of surveys on the West coast of Nipon. The subject matter is of considerable importance to the American Citizen trading with this Country, and I feel a strong desire to obtain such information, as will enable me to secure to them, as speedily as possible, all the rights they are entitled to, by our Treaty stipulations.

I deem it of importance to our Interests in this Country, that I should visit the Ports of Hakodade, Nee-e-gata, Tsuruga, Hiogo and Osaca, and I respectfully request, that you will be pleased to order one of the vessels under your command to convey me to the above named Ports, whenever the Interest of the Public Service will enable you, to spare a vessel for this purpose.

At Hakodade, I may be occupied some four or five days, but at the other Ports from one to three days will probably be quite sufficient.

I have the honor to be

Very respectfully

Your obedient servant

(Signed) Townsend Harris.

Flag officer C. K. Stribling
Commander in Chief
of the U. S. Naval Forces in the Indies, China. Japan &c
&c &c.

Inclosure

with despatch No: 25

No: 2.

Dispatch to Flag officer Kribbing

Yedo. July 26. 1860

N: 26.

Legation of the United States
Yedo, August 1. 1860.

Sir,

The clause of the third Article of the Treaty of Yedo, which gives American Citizens, the right of residence in this City, for the purposes of trade, after the 1st of January 1862, has occupied much of my thoughts for some months, and has caused me not only solicitude but anxiety.

The population of this city is widely different from that of any other place in the world. —— Its chief elements consist of the hereditary Princes, the Nobles and the High Officers of the Government, with the retainers of the Princes and Nobles, and the followers of the high officials. The aggregate number of these retainers and followers, all of whom are armed, is very great. —— it is said to be over 300,000 men. —— The character of this class is an important consideration; they lead a life of idleness, and many of them are exceedingly dissolute; towards those whom they regard as being their inferiors, they

To the Honourable Lewis Cass
Secretary of State
Washington.

they are arrogant and aggressive; they haunt the streets in great numbers — frequently in a state of intoxication; and, being always armed, are not only prompt in taking offence, but ready to seek it.

The feelings of these men towards Foreigners, are a mere reflex of the opinions of their masters; and as a majority of the latter are opposed to the presence of Foreigners here, it may be fairly assumed, that an equal proportion of their followers are hostile to us. I cannot conceal from you, my serious apprehensions, that, with the present state of feeling, very grave difficulties might arise from the presence here, of American Citizens, for the purposes of trade.

I have no cause of complaint for myself, but whenever I leave my residence, I am attended by a retinue that commands respect; and in addition to this, my official position is well known.

But the Merchant could have no such protection; he could not afford to support such an escort; and even if he did retain one, his social position would deprive him of nearly all the benefits of it.

If all the Foreigners in Japan were prudent and discreet men, the danger arising from their residence in this City, would be diminished, but not entirely averted. Unfortunately, a portion of them are neither prudent or discreet; and they are numerous enough to imperil the safety of the

the orderly and well disposed, and seriously endanger the amicable relations, that have been established with so much difficulty and labour, with this Government.

Yedo is neither a Commercial or manufacturing City; the imports are confined to the supplies of the inhabitants, and of exports there are none. The manufactures are limited to the production of the coarser articles for common use, which are of too little value, to allow of charges for transport. Kanagawa is now, and must remain, the Seaport of Yedo; as after leaving Kanagawa, vessels can nowhere approach the shore, nearer than three miles, and at Yedo they must anchor at the distance of five miles from the Shore.

The business of this City is exclusively a retail one, and it is carried on, in a manner, which would apparently prevent a foreigner from conducting it. The class of persons, who would be the principal purchasers of foreign productions, never enter a shop, to make purchases; the vendor carries his goods to the residence of his customer, and there, kneeling on the ground, he exhibits his wares.

The trade already developed, gives a promising hope of the ultimate establishment of a large and beneficial commerce, with this Country, but these hopeful prospects may be seriously damaged, and possibly, utterly destroyed, by a collision

between

between the foreigners and Japanese, and I greatly fear, that the indiscriminate admission of Foreigners, at the time fixed by the Treaties, to the right of residence in this Capital, will lead to the most deplorable consequences, and to a state of affairs, fatal to the best interests of all.

I have endeavoured to lay before you, a concise statement of the prospect before us, in reference to this matter, and I respectfully request your serious consideration of it.

I have had frequent conferences with my Colleagues, the English and French Ministers, and we are united in our opinions, on this subject.

It has been agreed between us, that we should write to our respective Governments, asking for discretionary power, to postpone the opening of this city for one year; with the power of renewing the postponement, from time to time, as actual exigencies might require.

I address you thus early, not only on account of the importance of the subject, but also in view of the great delay, that frequently occurs, in the transmission of my dispatches to you.

I have the honor to be

Very respectfully

Your obedient Servant.

Townsend Harris

Yedo August 1st 1860.

Townsend Harris

N: 26.

No Enclosures

Received.

Advice postponement of
opening of Yedo to Foreigners

Rec'd 30. Nov. Mr Marcy.

No: 27.

Legation of the United States
Yedo, August 2d. 1860.

Sir,

I have the honor to transmit herewith numbered 1, copy and translation of a letter, received at this Legation from Monsieur Duchesne de Bellecourt, informing me, that H. I. M. the Emperor of the French has been pleased to appoint him, as Chargé d' Affaires of France in Japan.

This copy should have been forwarded to you, at the time of its receipt, but it was accidentally overlooked.

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

To the Honourable Lewis Cass
Secretary of State,
Washington.

Legation of the United States

Yedo August 2. 1860

Townsend Harris.

No: 27.

1 Enclosure.

Received.

Appointment of French
Interpreter d'Affaires

Copie.

Légation de France
au
Japon.

Yedo le 25 Mai. 1860.

Monsieur le Ministre,

J'ai l'honneur d'informer Votre Excellence, que S. M. l'Empereur des Français a daigné m'accréditer à Yedo en qualité de Son Chargé d'affaires et Consul Général. L'expérience que j'ai faite tant de fois, Monsieur le Ministre de votre bienveillant et sincère concours me fait un devoir de saisir l'occasion d'adresser mes remerciemens à Votre Excellence en La priant de me continuer des relations si heureusement Cordiales et intimes, et dont le résultat ne peut que contribuer efficacement au but élevé, que nos Gouvernemens ont eu en vue en établissant des relations regulières avec le Japon.

Veuillez agréer Monsieur le Ministre l'assurance de la haute considération et des sentimens devoués avec lesquels j'ai l'honneur d'être

de Votre Excellence

le très humble et
très-obéissant Serviteur
(signé) Duchesne de Bellecourt.

A Son Excellence
Monsieur Townsend Harris
Ministre des Etats Unis d'Amerique au Japon.

&c. &c.

Yedo.

English Translation

Legation of France in Japan. Yedo May 25th, 1860.

Sir,

I have the honor to inform Your Excellency, that H. M. the Emperor of the French has been pleased to accredit me at Yedo, in the capacity of Chargé d'Affaires and Consul General. Your friendly and sincere concurrence which I have so frequently experienced. Sir, make it a duty to me, to avail myself of this opportunity to return my thanks to Your Excellency with the request to continue the cordial and intimate relations so happily existing between us, the result of which can only contribute to the high end which our Governments had in view, in establishing regular relations with Japan.

Please accept Sir the assurance of the high consideration and devoted sentiments, which I have the honor to be,

Your Excellency's

Most humble and most obedient Servant

(Signed) Duchesne de Bellecourt.

To His Excellency

Townsend Harris Esquire

Minister of the U. S. of America in Japan

&c. &c. &c. Yedo.

A true translation

W. Heine

Rec'd 30. Nov. the Nun

N. 28.

Legation
Yo

Sir,

Senhor Guimaraes
of Macao and Envoy Extraordinary
King of Portugal, negociated a Treaty of
Commerce between Portugal and Jap
signed in this City, on the 3d instan

The Treaty goes into
of October next, and its provisions a
with those previously made, with
the Duties to be levied on Linen g
from Twenty percent to five percen

In my despatch
the honor to inform you, of a
given by this Government, that
make a Treaty with Portugal

The present action on
is to be regarded not merely as
of the pledge to make a Treaty
satisfactory proof, that the reactio

To the Honourable Lewis Cass
Secretary of State
Washington

with despatch N: 27.

N: 1.

Letter from Colonel
Chaves, d'Affaires.

Yokohama 25th May 1860.

heretofore manifested by a majority of the Dimio has been signally checked.

As soon as I can procure a copy of the Treaty, now referred to, I will forward it, to the Department.

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

Yedo, August 4. 1860.

Townsend Harris

No: 28.

No. Enclosures

Recd.

Treaty with Portugal.

Recd 31. Nov. Mr Marcy.

N: 29.

Legation of the United States
Yedo, August 6th, 1860.

Sir,

I have the honor to acknowledge the receipt of your despatch N: 9, dated April 27, in which you are pleased, to approve of the course pursued by me, for the purpose of securing the faithful observance, of its Treaty Stipulations, by the Japanese Government.

It gives me sincere pleasure to read your account of the preparations made at Washington for the honorable reception and entertainment of the Japanese Embassy. The selection of Captain DuPont of the United States Navy to attend the Embassy on its visits to some of the large cities of the Union, is a peculiarly happy one, as from his previous knowledge of the Japanese, he is particularly well qualified, for that delicate and important office.

To the Honorable Lewis Cass.
Secretary of State
Washington

I am confident that these attentions will not be thrown away, and that in due time, a rich reward will follow the generous hospitality so liberally bestowed on the Embassy.

I have the honor to be,

Very respectfully

Your obedient Servant.

(

Townsend Harris

Yedo August 6/60.

Townsend Harris.

No. 29.

No Enclosures.

Received.

Answer to dispatch No. 9
from the Department,

Rec'd 30. Nov. Mr Marsh.

No: 30.

Legation of the United States
Yedo, August 6. 1860.

Sent to Mr. Stubbs
has been ordered to
the boats

Sir,

I transmit herewith, number 1, a List of books and Stationary required for the use of this Legation. No: 1

These Articles are procured with much difficulty in Japan, and when obtained, cost three or four times as much, as they would in the United States.

As the time required to procure Articles from home is so long, I have put down a quantity of paper, more than sufficient for one years supply.

I would respectfully recommend that the boxes be shipped at New York by a vessel bound to Shanghae or Hongkong, giving the preference to the first named Port, if any vessel is bound there.

The Bill of Lading for the boxes should be

To the Honourable Lewis Cass.
Secretary of State
Washington.

be enclosed to Messrs Russell & Co., who will forward the cases to me, without any charges, except for actual disbursements.

I have the honor to be,

Very respectfully

Your obedient Servant.

Townsend Harris

Yedo August 6. 1860

Townsend Harris

N: 30.

1 Enclosure

Received.

Indent for books stationary

List of Books, Stationery &c. required for the use of the United States Legation at Yedo.

Statutes at Large of the United States
Wheaton's Elements of International Law
1 Letterbook for Correspondence with State Department
1 do. do " Miscellaneous Correspondence.
4 reams of foolscap paper
1 do " letter paper
1000 Envelopes for dispatches
500 do. do. do muslin lined
500 Letter envelopes.
All the envelopes to be endorsed
"Legation of the United States at Yedo."
5 quires yellow envelope paper. glazed.
Steel pens 5 boxes
Sealing wax, 5 pounds
Red tape, 2 packages
Twine 2 balls 6 Balls - sent
Blank Passports .50 - + Wafers - 1 Box sent

Boxes to be addressed "Legation of the United States at Yedo.

Care of Messrs Russell & Co.
Shanghae & Hongkong.

Yedo. August 6th. 1860.

Townsend Harris

Sent in one Box - Dec - 29/60 - Sent to Shang

Enclosure

with depatch N. 30.

N: 1.

Requisition for
Stationary. books.

Yedo August 6. 1860.

Rec'd 30. Nov. Mr Munroe

N: 31.

Legation of the United States,
Yedo, August 16. 1860.

Sir,

I have the honor to acknowledge the receipt of your dispatch N: 10, dated 1 May 18th: in which you inform me of the arrival of the Japanese Embassy at Washington, and that it was received by the President on the 17th of the same month.

I transmit herewith, numbered 1. copy of a letter, addressed by me to the Japanese Ministers for Foreign Affairs, announcing the arrival of the Embassy, and its reception, by the President, and also expressing the other particulars, directed by you.

I am to have an audience of His Majesty the Tycoon, on the 20th instant, and I shall in my address refer to the honorable and friendly reception, given to the Representatives of His Majesty in the United States.

The American Barque Mary Louisa sailed from Kanagawa on the 9th instant, with

a

To the Honorable Lewis Cass
Secretary of State
Washington.

a cargo, valued at seven hundred thousand dollars
($700.000), I notice this, as it affords a
pleasing evidence in support of the views, I had
the honor to express in my despatch N: 22, dated
July 11th, on the prospect of trade in this Country.

I have the honor to be
Very respectfully
Your obedient servant

Townsend Harris

U. S. Legation

Yeddo August 16. 1860

Townsend Harris

N. 31.

1 Enclosure

Received

received despatch N. 30.
Audience, Large exports of

Copy.

110 Legation of the United States
Yedo August 16. 1860.

To Their Excellencies
Wakisaka Nacatsoocasans Tayu.
Ando Tsoosemano cami.
Ministers for Foreign Affairs

I have to inform Your Excellencies, that your Embassy arrived at the city of Washington, on the 14th of May, and that it had the honor of being received by the President on the 17th of the same month, when they presented their letters of credence from H. M. the Tycoon.

I am directed to express to you, the satisfaction felt by my Government at the arrival of the Embassy, and to inform you, that every attention and kindness will be shown to its members, who will be invited to visit various parts of the country, and when they desire to return, they will be brought back to Japan, by ships of the U. S. Navy.

You are requested to convey to H. M. the Tycoon, the expression of the satisfaction felt by the President of the United States, at the arrival of the Embassy and his contentment at the honorable deportment of the Ambassadors, who have made themselves acceptable, wherever they have been.

The

The President confidently expects, that this Mission will serve to strengthen the bonds of amity, now happily existing between the two Nations.

I congratulate Your Excellencies on the agreeable intelligence, I have now the honor to communicate to you, and I assure you, that it gives me very great pleasure to be enabled to address you, on so pleasant a subject.

Stated with respect and courtesy

(signed) Townsend Harris.

A true copy
H. Heusken

Enclosure
with dispatch N: 31.

N: 1.

Letter to Ministers for
Foreign Affairs

Yedo Augst 16. 1860

Rec'd Sept. 28 Ans. Oct. 1

No. 32.

Legation of the United States
Yedo, August 21. 1860.

Sir,

I have the honor to inform you, that I had an audience of His Majesty the Tycoon yesterday, and it is with unfeigned satisfaction, that I state that all the ceremonies agreed on were observed not only to the letter, but in the spirit of the Articles.

At my audience, I addressed the Tycoon, as follows:

"Sire,

"I am directed to renew to Your "Majesty, the assurance of the cordial friendship "of the President of the United States, and of his sincere "wishes for the health and happiness of Your "Majesty, and for the prosperity of Your Empire.

"I am to congratulate Your Majesty "on the safe arrival of your Embassy in the United "States. The distinguished honors paid to

To the Honourable Lewis Cass.
Secretary of State
Washington.

" to Your Ambassadors and Officers by the
" Authorities and People of the United States, will
" convince Your Majesty of the truth of my
" repeated assurances of the friendly feelings of
" the Government and People of my Country
" towards Your Majesty and the People of Japan.

" I have to request Your Majesty to
" give orders, that I shall be treated with the
" same kindness and courtesy, that has been
" shown to Your Representatives, in the United
" States.

" I am also to congratulate Your
" Majesty, on the safe arrival of your Steamer,
" from a voyage across the great Pacific
" Ocean, commanded and navigated exclusively,
" by Your officers.

" This notable event will mark an
" important period in your reign, for it
" justly places the Japanese Nation, at the head
" of Eastern enterprise, and I trust, the day is
" not distant, when the flag of Japan will
" proudly float, in all the Chief Harbours of the world.

" The strict observance of the Treaties
" made with Foreign Powers is called for, not only
" by a sense of honor, but also by every
" consideration of sound policy.

" I do not doubt Your Majesty
will.

" will give orders, that all the stipulations of your
. Treaties with Foreign Nations, be faithfully carried
" into effect. "

To this address, His Majesty made the following reply.

" I have understood your communication,
" and hope to see the friendship between the
" two Empires, extend more and more. Your
" long residence here, must have subjected you,
" to much annoyance or privation. "

I should have referred to the reception, by the President of the Japanese Envoys; but your despatch informing me of this interesting event, was not received by me, until after I had sent a copy of my Address to the Ministers for Foreign Affairs.

Before and after my audience, I had much conversation, with the various officials, connected with the foreign office, and they expressed the liveliest satisfaction at the reception, given to the members of their Embassy with much wonder at the liberal appropriation of money for their honorable entertainment

I have the honor to be

Very respectfully

Your obedient servant.

Townsend Harris

Legation of the U. S.
Yedo, August 21st.

Townsend Harris

32.

No Enclosures

Received.

Audience of the Tycoon

Rec'd Dec. Dep. Mr Marcy

No: 39.

Legation of the United States,
Yedo. August 29th. 1860.

Sir,

I have the honor to transmit herewith Numbered 1, copy and translation of a letter from the Japanese Ministers for Foreign Affairs, in answer to my letter to them, dated the 16th instant, announcing the arrival at Washington and the reception by the President of the Japanese Envoys. No. 1.

The enclosed letter expresses the wish of H. M. the Tycoon, that his thanks should be conveyed to the President for the cordial reception he has been pleased to give to the Envoys of Japan.

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

To the Honourable Lewis Cass
Secretary of State
Washington.

U. S. Legation

Yedo August 29. 1860

Townsend Harris.

N. 33.

1 Enclosure

Recd

1

Thanks of H. M. the Tycoon
for reception of Embassy.

Aan Zyne Excellentie Townsend Harris,
Gevolmagtigden en Minister der Vereenigde Staten
van Amerika &c. &c. &c.

Op ontvangst van uwen brief uwer Excellentie, gedateerd den 16de dag van Augustus en genommerodeerd 110de, hebben wy wel begreepen uwe mededeeling dat gy zyt belast om ons te verwittigen, van de aankomst des Afgezantschaps van ons Rijk in de stad Washington, van de een welke het heeft gehad door Z. M. den President ontvangen te worden; van de aanbieding des briefs van Z. M. den Taikoen, welke by die gelegenheid op eene voegzame wyze plaats heeft gehad; van een genoegen welke Z. M. de President er in heeft gehad; van de uitnoodiging om de leden van het Afgezantschap verscheidene gedeelten des lands te doen bezoeken, en van eene omstandigheid om hun terugte zenden met schepen van de Zeemagt der Vereenigde Staten.

Eenvoudig door uwe vriendelyke schikking heeft het Afgezantschap de eer gehad, om het bevel van Z. M. den Taikoen te volvoeren en door de Vereenigde Staten met welwillendheid ontvangen te worden. Tevyl wy hierbij verslag onmiddelyk van aan Z. M. den Taikoen

hebben

hebben gidaan, heeft Z. M. er groot genoegen door gehad en ons gelast om U te verzoeken, ten einde Uwe Excellentie, zoo er binnen kort eene goede gelegenheid zal zijn, onze dankbetuiging voor de voorgaande vriendelijkheden aan Z. E. den President wilt mededeelen, hetwelke wij als antwoord hebben van te stellen.

Met eerbied en beleefdheid.

den 12e dag der 7e maand van het eerste jaar van Mannlm

(w.g.) Wakisaka Nacaboocasano Taju

(.) Andoo Tsusiriano cami.

A true copy

W. Heemskerk

English Translation.

To His Excellency Townsend Harris,
Plenipotentiary & Minister of the U. S. of America
&. &. &.

We have received a letter from Your Excellency, dated the 18th. day of August and numbered 110, and we have well understood your communication, that you were directed to inform us, of the arrival of the Embassy of our Empire, at Washington; of the honor it has had, of being received by H. M. the President; of the presentation of the letter of H. M. the Tycoon, which on that occasion, took place in a proper manner; of the satisfaction felt by H. M. the President thereat; of the invitation for the members of the Embassy to visit various parts of the country, and to send them back, in ships of the U. S. Navy.

It was only through your kind interference, that the Embassy had the honor of executing the order of H. M. the Tycoon, and to be received with good will by the United States. The above was immediately stated by us, to H. M. the Tycoon, at which H. M. felt great satisfaction, and charged us to request Your Excellency, if there should be, within short, a good opportunity, to communicate our thanks for the above to H. M. the President, when we have to state in reply.

With respect and courtesy.

The 12th day of the 7th month of the 1st year of Manen. (September 28th 1860).

(signed) Hakisaka Nacatsoocasano Tayu

(.) Ando Tsoosemano cami.

A true translation

Enclosure

with dispatch N. 33.

No. 1.

Letter from Ministers for Foreign Affairs.

Yedo August 28. 1860

Rec'd Nov. 1860 Mr Harris

No: 34.

Ligation of the United States,
Yedo, September 13. 1860.

Sir,

I have the honor to acknowledge the receipt of your despatch No: 11, dated June 6th, transmitting a letter from the President to H. M. the Tycoon of Japan, with an office copy of the same.

In your despatch you directed me, to deliver the letter in such a manner, as I might deem, most agreeable to His Majesty's wishes.

At an interview, with the Ministers for Foreign Affairs. I informed them of the receipt of the letter above referred to, and I enquired, when H. M. would grant me an audience, for the delivery of the same. In reply, the Ministers stated, that I was aware, His Majesty's principal Palace had been burnt, and that during its reconstruction, he was occupying one of his lesser residences, that as it was the wish of H. M. to do all possible honor to the letter of the President, he would prefer

to.

To the Honorable Lewis Cass.
Secretary of State
Washington.

Enclosure

to receive it, after his new Palace was completed, which would enable him, to do more honor to the letter, than he could, at his present residence and they enquired, whether I would delay ~~my~~ audience, until its completion.

I answered, that it would depend on the time, that would be required to complete the Palace; that a long delay would not be proper; and, under no circumstances should the delivery of the letter be delayed, until after the return of the Embassy to Yedo. It was then agreed, that the Ministers should enquire as to the exact period, when H. M. would be enabled, to receive me, in his new Palace, and that I was to be informed of the precise date.

Subsequently, and at the same interview, the Ministers enquired, whether I would deliver the letter to them, if the new Palace was not completed in time. I answered, that I did not think it would be proper to deliver it to them, under any circumstances, nor could I consent to its delivery, any where, except at an audience of the Tycoon. I added, that the delivery of the letter in his presence was all that was necessary, and that any building, sufficiently honorable for the residence of H. M.

would

would also suffice for my audience.

In making this reply, you may consider that I have somewhat deviated from your Instructions, but I am strongly of opinion, that, had I consented, to deliver the letter to the Ministers, as desired by them, it would have formed an inconvenient precedent, which might be used to the great disadvantage, of our future intercourse with this Government.

I consider, that the stand I took at Simoda in 1856, when I refused to deliver the letter of the President, except at an audience of the Tycoon, was the first of the important steps, taken by me, which finally led, to the Treaty of Yedo.

I am firmly convinced, that had I delivered my credentials at Simoda, as desired by the Japanese, I should not have had the honor of signing our Commercial Treaty.

I may be permitted to add, that the request was apparently made by the Ministers for Foreign Affairs, on the spur of the moment, and not from any instructions, they had received to that effect.

Trusting my action in this matter will receive your approval, I have the honor to be

Sir

Yedo Sept. 13. 1860.

Townsend Harris.

No. 34.

No. In close.

Recd.

President's letter to the Tycoon

Conversation with the

Ministers there.

Very respectfully

Your obedient Servt.

Townsend Harris

Abn — No. Desp. to Mr Marcy

No: 35.

Legation of the United States,
Yedo. September 14th 1860

Sir;

I have the honor to acknowledge the receipt, under cover of your despatch N.º 11, of a duplicate credit on the Bankers of the United States in London, authorising M. H. C. J. Heusken, to draw for his salary as Interpreter to this Legation, at the rate of Two Thousand five hundred Dollars, from the first day of January last.

You instruct me, that;

"If any advance for his salary since that period
"should have allready been made by you (me),
"you (I) will understand that it must be
"returned to you (me) by him."

I advanced to Mr Heusken on the 31st of March and on the 30th of June, the sum of Seven hundred & fifty Dollars or Three Hundred & twenty Five Dollars on each of the above dates.

Had your instructions been less explicit.

To the Hon. Lewis Cass.
Secretary of State
Washington

explicit, I should have instructed Mr Heusken, to draw for his salary, less the sum previously advanced by me, but I do not feel authorized to depart from the plain and obvious meaning of the paragraph, from your despatch, which I have quoted above.

Mr. Heusken will therefore draw for the whole amount of his Salary, and will repay me the sum of seven hundred fifty Dollars, which will appear to the credit of the account for Contingent Expenses of this Legation.

I have the honor to be
Very respectfully
Your obedient Servant.

Townsend Harris

U. S. Legation

Yedo, September 14th. 1860

Townsend Harris.

No 35.

No Enclosures.

Received.

Concerning letter of credit
of Mr. Heuskem.

Rec'd Oct. 16. Dec. to Mr. Marcy

No. 36.

United States Legation.
Yedo. September 21. 1860.

Sir,

I have the honor to transmit herewith account and vouchers for sundry expenses, incurred by me, on my two audiences of H.M. the Tycoon of Japan, and at various interviews with the Ministers for Foreign Affairs, the whole amounting to Two hundred and Eighteen Dollars and sixty seven cents, which amount was expended between the 15th. of October 1859 and the 3d. of September 1860.

These charges arise from the peculiar habits and customs of this Country They would not be required in diplomatic intercourse, held with any civilized State, but in this semi civilized land, they are of essential importance, and a refusal to comply with the established etiquette, that attends official Intercourse in this country, would

To the Honourable Lewis Cass.
Secretary of State
Washington

would entail a damage to our Interests, that could not be measured by a mere money standard.

I beg to state, that the account does not include any charges for my ordinary and permanent retinue, which attended me, on the occasions, stated in the account.

I respectfully submit this, to your favorable consideration, and I have to request, that I may be instructed, as to the manner, in which I shall draw, for the same, provided you are pleased to approve of the account.

I have the honor to be,

Very respectfully

Your obedient servant

Townsend Harris

Hon

U. S. Legation

Yedo September 29. 1860

Townsend Harris.

No. 36.

1 Enclosure

9 vouchers

Received.

Expenses attending
diplomatic Intercourse

Rec'd 28. Dec Mr Marcy.

N: 37.

Legation of the United States
Yedo, October 1st. 1860.

Sir,

I have the honor to transmit herewith numbered 1., my account for salary from the 1st of July to the 30th of September 1860, and to inform you that I have drawn on the Department in the prescribed form for seven hundred and Twenty nine $\frac{56}{100}$ Dollars, which draft is supported, by the prescribed vouchers. N: 1

I have the honor to be
Very respectfully
Your obedient servant.

Townsend Harris

To the Honourable Lewis Cass
Secretary of State
Washington.

U. S. Legation

U. S. Legation

Yedo, October 2d. 1860

Townsend Harris.

No. 37.

1 Enclosure. 3 Vouchers.

Received.

With account for salary.

Rec'd 28. Dec. Mr Marshall

No: 38.

United States Legation
Yedo, October 1. 1860.

Sir,

I have the honor to transmit herewith N: 1
numbered 1, account for contingent Expenses, for the quarter ending September 30th. 1860, showing a balance in my hands of Seven hundred thirty seven 22/100 Dollars.

You will observe, that the account has been credited with seven hundred and fifty Dollars, being the amount repaid by Mr. Heusken, the Interpreter to this Legation for the sum advanced to him, on the 31: of March and 30th of June, and you will find an explanation of this transaction, in my dispatch No 35, dated September 14th.

I have the honor to be,
Very respectfully
Your obedient Servant.

Townsend Harris

To the Honourable Lewis Cass.
Secretary of State
Washington.

Yedo October 1. 1860

Townsend Harris.

N. 38.

1 Enclosure - 1 Voucher

Received

With account for
Contingent Expenses

No 28. Lewis Mr Moubee

N: 1.

United States Legation
Yedo, October 1. 1860.

Sir,

I have the honor to transmit herewith, numbered 1, my account for Salary from the 1st of January to the 30th of September 1860, and to inform you, that I have drawn on the Department in the prescribed form for Seven hundred Twenty nine $\frac{56}{100}$ Dollars, which draft is supported, by the prescribed vouchers. N: 1

I have the honor to be,
Very respectfully
Your obedient Servant
H. Willis Dallas

To the Honourable Lewis Cass.
Secretary of State
Washington.

U. S. Legation
Yedo. October 1. 1860

H. E. I. Heusken.

N. 1.

1 Enclosure. 3 vouchers.

Received.

With account for Salaries

Rec'd Nov. 15. Inst. Mr Mason

No: 39.

Legation of the United States
Yedo, October 6. 1860.

Sir,

In my despatch, No: 34, dated September 18th, I had the honor to inform you of my action in reference to the delivery of the letter of the President of the United States, addressed to H. M. the Tycoon of Japan.

At an interview on the 27th ultimo, with the Ministers for Foreign Affairs, they renewed their request, that I would delay my audience, for the purpose of delivering the letter in question, until the Tycoon could receive me in his new Palace; they added that my audience for this purpose should precede that of any other Diplomatic Agent, and they proposed to address me a letter to that effect.

I felt, that I could not with propriety, insist on an audience, at a place, which would not be agreeable to H. M., and altho' I regretted the delay that would of necessity arise,

I

To the Honourable Lewis Cass.
Secretary of State
Washington.

I reluctantly consented to the proposition

On the 3d instant, the Ministers sent me the promised letter, a copy and translation
No. 1 of which, I transmit herewith, numbered 1.

Knowing the anxiety of H. M. for a copy of the letter, and wishing to place it in his possession before the return of his Embassy from the United States, I sent a translation to the Ministers on the 5th instant.

No. 2 I enclose herewith, numbered 2, copy of my letter to them.

I have the honor to be,

Very respectfully

Your obedient Servant

Townsend Harris

Yedo October 6. 1860.

Townsend Harris

No: 39.

2 Enclosures

Received.

No. 39. T. Harris. Yedo - 6 Oct. 1860

Postponing of audience.
Copy of President's letter

Copy

126.

Legation of the United States
Yedo. October 5th 1860

To Their Excellencies
Wakisaka Nacatsoocasano Tayu
Ando Tsoosemano cami,
Ministers for Foreign Affairs
&. &. &.

I have to acknowledge the receipt of a letter from Your Excellencies, dated the 19th day of the 8th month (October 3d) in which you desire to postpone my audience of H. M. the Tycoon, for the purpose of delivering an autograph letter of the President of the United States, until the completion of the new residence of H. M.

You also inform me, that my audience shall be the first one, that is granted by H. M.

In consenting to your request, I desire you to consider it, as a new proof of my friendly disposition.

I hand you herewith a translation of the letter from the President of the United States.

Stated with respect and courtesy
(sign) Townsend Harris.

A true copy
H. C. Heusken

Enclosure

with despatch No 39.

No: 2.

Letter to Ministers for

Foreign Affairs.

Yedo October 5. 1860

Copy of Dutch Translation.

Aan Zyne Excellentie Townsend Harris, Gevolmagtigden en Minister der Verenigde Staten van Amerika

&c. &c. &c.

Hiermede hebben wy aan Uwe Excellentie eene mededeeling te doen.

Het welwillende gevoelen, dat de Afgezant van ons Rijk naar de Verenigde Staten, degenwoordigheid van Z. M. den President erlangen en hooget dezelfs vriendelyke ontvangst genoten heeft niet alleen, maar ook dat Z. M. de President over dat onderwerp eenen eigenhandigen brief aan Z. M. den Taikoen gezonden heeft, is van zoo een diepen aard dat onze dankzeggingen immer ontoereikend is

Ten dien gevolge heeft Uwe Excellentie by de Zamenkomst met ons voorgesteld om naar het algemeene gebruik van alle Natien, den voormelden brief by de audientie van Z. M. den Taikoen, te willen aanbieden.

Hoewel deze voorstelling regtmatig is, Zyn de Zaal en Kamer van de tegenwoordige residentie van Z. M. den Taikoen in West kasteel, wegens het tydelyke verblyf na den brand van het hoofd kasteel, Zoo smal en klein, dat er verscheidene hindernissen in den weg zyn.

Intusschen het ceremoniel van de eerste audientie, verleend aan de Ministers van verscheidene

Mogendheden

Mogendheden na de aankomst hier in de stad, op dewijze uitgevoerd, om Uden dat het tevens de opening van de havens lang uitgesteld is.

Maar het geval om den brief nu in den hand van Uwe Excellentie aan te bieden en om de audientie van Zr. Majesteit den Taikoen te hebben is wenschelijk uit te stellen tot na het hoofdkasteel voltooid is.

Ofschoon de andere Ministers dus in tegenwoordigheid van Z. M. den Taikoen zouden wenschen, spreekt het van zelf, dat Uwe Excellentie eerder de audientie zal hebben, zoo is het wenschelijk dat Uwe Excellentie zulkes in uwe aanmerking wil nemen.

Voortgedragen met eerbied en beleefdheid.
Den 19de dag der 8ste maand van het 1ste jaar van Mann Ens.

(w.g.) Wakisaka Naotsuasano Sajie
(.) Ando Tsusimano cami.

A true copy
W. Heusken

English Translation

To His Excellency Townsend Harris, Plenipotentiary
Minister of the U. S. of America.

We have herewith, to make a communication to Your Excellency.

The benevolent feeling which made the Envoy of Our Empire to the United States, acquire the affection of H. M. the President, and enjoy not only his friendly reception, but also that H. M. the President has sent an autograph letter on that subject to H. M. the Tycoon, is of such a deep nature, that our expressions of thanks will always be insufficient.

At an interview, Your Excellency proposed to us, to present the said letter at an audience of H. M. the Tycoon, according to the general custom of all Nations -

Altho' this proposition is a just one, the Hall and rooms in the present residence of H. M. the Tycoon in the Western castle, on account of his temporary residence after the fire of the Chief Castle, are so small and narrow, that they offer many objections.

In the mean while the first audience ceremonial, which was granted to the Ministers of various Nations after their arrival here in this

City

city was compulsorily executed, because they had been postponed so long, after the opening of the Harbours.

But it is desirable, to postpone until the completion of the Chief castle, the presenting of the letter now in Your Excellency's hands, and the having an audience of H. M. the Tycoon.

Altho' the other Ministers might in the future desire to have an audience of H. M. the Tycoon, it is a matter of course, that Your Excellency, will have an audience before them, so it is desirable, that Your Excellency, should take this in consideration.

Represented with respect and courtesy -

The 19th day of the 8th month of the 1st year of Manen (October 3rd, 1860).

(Signed) Wakisaka Noetsoocasano-Tayu

(-) Ando Tsoosemano cami.

A true translation

H. W. Schmidt

No. 1.

Dutch Translation and English version of the letter from the Ministers for Foreign Affairs.

Yokohama October 3rd 1860

with dispatch No. 31

Rec'd 12. Feby Mr Marshall

No: 40.

Legation of the United States
Yedo, November 5. 1860.

Sir,

I have the honor to acknowledge the receipt of your circular No: 14, dated July 31; transmitting copy of an act of Congress "To carry "into effect the provisions of the Treaties, between "the United States, China, Japan, Siam, Persia "and other Countries" &c. &c.

In compliance with your request, I would respectfully suggest, that the Marshal for Japan should reside at Kanagawa, and for the following reasons.

Kanagawa has a full moiety of the Americans now resident in Japan, and is the Port of the greatest resort for our Shipping, it is only 18 Miles from this Legation, and the Minister Resident here could readily avail himself of the services of the Marshal, whenever he might have occasion for them.

Kanagawa.

To the Honourable Lewis Cass.
Secretary of State
Washington

Kanagawa is nearly equi-distant from Nagasaki and Hakodade, say about 500 Miles from each of those places, and if the Marshal be placed at either of those Ports, it would virtually deprive the omitted Port. of his services.

I shall lose no time in carrying into effect the provisions of Sections 5 and 6 of the act in question.

I have the honor to be,

Very respectfully

Your obedient Servant.

Townsend Harris

Yedo. November 5th. 1860

Townsend Harris

N: 40.

N. Enclosures.

Received.

Received Circular N. 14.
to carry into effect Treaty between
U.S. and Japan. Residence of
U.S. Marshal.

Rec'd 12. Feb. Mr Marcy

N: 41.

Legation of the United States
Yedo, November 7. 1860.

Sir.

In my despatch N: 25, dated July 27th. I had the honor to forward to you, copy of a letter, addressed by me to Flag Officer Stribling, requesting him to furnish me with a vessel to convey me, to various of the Japanese Ports.

In compliance with my request, Flag Officer Stribling ordered the United States Steamer Saginaw, to proceed to this Port, for the purpose of conveying me, to the places, I desire to visit.

The Saginaw arrived here on the 5th instant. From the advanced season of the year, and from other causes, which you will find stated in the enclosure herewith, numbered 2. I have decided to postpone my intended visit, until next April. N: 2

I have the honor to transmit herewith, numbered 1. Copy of a letter from Flag Officer Stribling, also N. 2. Copy of my reply to the same. N: 1 N: 2

I have the honor to be,
Very respectfully
Your obedient Servant.
Townsend Harris

To the Honorable Lewis Cass
Secretary of State
Washington.

U. S. Legation

Yedo November 7. 1860

Townsend Harris -

N: 41.

2 Enclosures

Received.

Requisition for U. S. steamship

Copy.

U. S. Flag Ship Hartford
Shanghae, September 4th, 1860.

Sir,

Upon my arrival here, on the 25th ultimo. from the Gulf of Pitchili, your letter of the 26th of July was handed to me, Flag Officer Tattnall did not give me a copy of your letter to him (a copy of which I received with your despatch) and if he had, it would not have been in my power to comply with your wishes up to this time.

Mr. Ward will leave here about the middle of this month, in the "Saginaw," for Hongkong and Canton, to stop at all the ports open to commerce on his way down the coast. When this service is accomplished, I think it will be, in my power to send the "Saginaw" to Yeddo, to receive you on board and carry you to the places you wish to visit, you may I think expect her about the 20th of October. I hope in the mean time to visit Yeddo in this ship. If things remain quiet here, which we now have reason to expect, I intend to leave here immediately after the arrival of the last mail in this month, which will be about the 27th. After spending a few days at Nangasaki, we shall proceed to Yeddo.

The war may be said to be at an end, and I presume the French and English Embassadors are about

to

proceed to Pekin from Teinsin. By the latest accounts from the latter place, they were engaged in settling their difficulties with Commissioners, sent there, by the Emperor.

A large number of English troops have arrived within a few days from Canton and the Peiho, so that there cannot be any fears from the Rebels returning to attack this place soon. The rebels being in possession of all the Country, around Shanghae, trade is almost at an end, and unless the Imperial Government can send sufficient forces here, to repel the rebels and drive them back into the interior, the prospect of business will not be encouraging.

Respectfully Your obdt. Servant
(Signed) C. K. Stribling

Flag Officer Commanding U. S. Squadron in the East Indies.

A true copy
H. W. Wilkes

His Excellency Townsend Harris.
Minister Resident of the United States. Yedo Japan.

Enclosure:
with dispatch No: 41.

No: 1.

Despatch from Flag Officer Stribling.

Shanghai 4th December 1853

Copy.

No. 133.

Legation of the United States
Yedo, November 7. 1860.

Sir,

I have the honor to acknowledge the receipt of your letter, dated September 4th, in which you inform me, that you had ordered the Steamer Saginaw, to convey me to the Ports in Japan, which I desired to visit, and I beg you, to accept my thanks for your compliance with my request.

The season is now so far advanced, that I do not think, it would be prudent, to make the voyage at this time. Two of the principal Ports, that I desire to visit, are on the West side of the Island of Nipon. This Coast is an unknown Navigation and from the volcanic nature of the country, it cannot be doubted, that it has many concealed dangers. At this season of the year, the weather is foggy. Strong winds prevail and the coast is in its entire length, a lee shore.

For these reasons, I am unwilling to imperil the safety of the officers and crew of the Saginaw, by proceeding on the voyage at this time. If you can, consistently with the interests of the public service, furnish me

Flag Officer J. K. Stribling,
Commander in Chief of the U. S. Naval Forces in the India, China, Japan Seas. &c. &c. &c.

me, with a conveyance to the places, I wish to visit on or about the 15th of April next, I shall feel greatly obliged to you.

I am Sir,

Your obedient Servant

(Signed) Townsend Harris

A true copy.

W. W. Heuskelen

with dispatch № 41.

dispatch to Flag officer Stribling.

№ 2.

Yeddo Nov. 4. 1860

Rec'd 12. Feby Mr Marcy.

No 42.

Legation of the United States
Yedo, November 19th, 1860.

Sir.

I have the honor to inform you, that the United States Frigate Niagara, with the Japanese Embassy on board, reached this city in safety, on the evening of the 9th instant.

On the 13th instant, the three principal members of the Embassy, visited me, by command of H. M. the Tycoon, to express their sense of the great kindness and courtesy, with which they had been received, in all parts of the United States, and also for the unremitting attentions, they had received from the Commanders and officers of the United States ships Powhatan, Roanoke and Niagara.

The Ministers for Foreign Affairs invited Captain Mclean and his Officers, to visit them on the 16th instant, extending their invitation to me.

The reception was attended with the usual Japanese ceremonies, and the Ministers repeated the thanks of H. M. the Tycoon, for the kindness shown

to.

To the Honourable Lewis Cass.
Secretary of State
Washington

to the Embassy. This was followed by the refreshments given on state occasions, and Captain McKean and his officers expressed themselves as being much gratified by their honorable reception.

On the 12th instant, the Japanese set apart the quarters which were occupied by Lord Elgin, in August, 1858, for the reception of such officers, as could not be accommodated by me. The building was amply supplied with all the appliances for comfort which are used by the Japanese, and some that are only used by Foreigners.

A large number of horses, norimons and boats were placed at the command of the officers, while food and numerous servants, guides and attendants were also placed at their disposal. Supplies were also sent to the Niagara. All of the foregoing outlay was by H. M's express command and at his charge.

The Niagara is to leave here to morrow on her return voyage. In a future dispatch, I shall have the honor again to refer to the Embassy and the apparent effect its safe return has produced.

I have the honor to be

Very respectfully

Your obedient Servant

Townsend Harris

Yedo November 19th 1860

Townsend Harris

No 42

No Enclosures

Recd.

Arrival of Japanese Embassy in the Niagara. Reception and treatment of her officers.

Rec'd 12. Feb. Mr Marcy

No: 43.

Legation of the United States
Yedo. November 19th. 1860.

Sir,

I have the honor to acknowledge the receipt of your despatch No. 12., dated June 26th. transmitting a letter addressed to the Japanese Minister for Foreign Affairs, and copies of the correspondence had with the Japanese Embassy, while in the United States.

I immediately delivered the letter to the Ministers for Foreign Affairs, and am informed by him, that it is his intention to address you, in reply.

The short stay of the Niagara prevents my writing you at this time, in reference to the other enclosures in your despatch, but I shall do so, at an early date.

I have the honor to be,
Very respectfully
Your Obedient Servant,
Townsend Harris

To the Honourable Lewis Cass.
Secretary of State
Washington.

Yedo Novbr 19. 1860

Townsend Harris

N: 43.

No Enclosure

Remarks

Receipt and delivery of
letter to the Minister for Foreign

Rec'd. Feb. 11 Mr Marcy

No: 44.

Legation of the United States
Yedo November 19. 1861.

Sir,

I have the honor to acknowledge the receipt of your despatch No. 13 of June 28th., in reference to the letter of credence of the Japanese Embassy and also relating to the presents sent out in the Niagara for H. M. the Tycoon.

In my despatches No. 34 of September 13th and No. 39 of October 6th., I had the honor to inform you of my action, in reference to the letter of credence.

I transmit herewith, numbered 1 No
copies of two letters, addressed by me to the Ministers for Foreign Affairs, in relation to the presents and tendering the services of Lieutenant H. A. Wise of the United States Navy, for the purpose of explaining the use of the arms and machinery.

I am informed that the presents were landed on the 16th instant. As soon as they can be arranged in order, I shall make a formal presentation of the same.

I have

To the Honourable Lewis Cass
Secretary of State
Washington

The Ministers for Foreign Affairs have informed me, that they are very grateful for the offer of the services of Lieutenant Rose, but they think, that owing to the information, he has already given them, they can understand and work the guns and machinery, which form a part of the presents, and that it will not be necessary for him, to remain here.

This decision was to be expected. They cannot conceive that such valuable services should be offered without some secret design. They are startled at the idea of exposing their means of defence to the observation of an intelligent Foreigner, and they would think his obtaining any general knowledge of their fortifications as a serious misfortune. Of course they have not made any such remarks to me, but I do not for a moment doubt, that such are their real thoughts, in this matter.

I have the honor to be,

Very respectfully

Your obedient servant,

Townsend Harris

Yedo, Novbr 19. 1860

Townsend Harris

N. 44.

1 Enclosure

Received.

Presents for the Japanese
Lieutenant's Wyse's services
declined.

Copy

135.

Legation of the United States
Yedo, November 12th 1860

To Their Excellencies
Wakisaka Nacatsoscasano Tayu
Ando Tsoosemano cami.
Ministers for Foreign Affairs
&. &. &.

I have the honor to inform Your Excellencies that my Government has sent a number of presents for H.M. the Tycoon, and that they are on board the Frigate Niagara.

The presents comprise specimens of all the new inventions in arms, including a complete battery of new guns, one of which is a rifled cannon.

I have to request Your Excellencies to have some proper building set apart, for the reception of these Articles, where they can be properly put in order, before being formally delivered to you. In a future letter, I will send you lists of these presents.

I have also to request Your Excellencies to send boats to the Niagara, to bring the various presents on shore.

Some powder for the guns has also been brought and I would suggest, that it should be placed in some safe and secure place.

I have with respect and courtesy.

(Signed) Townsend Harris

true copy
W. Heine

Copy

137. Legation of the United States
Yedo. November 15th, 1860.

To Their Excellencies
Wakisaka Nacatsoocasano Tayu
Ando Tsoosemans cami.
Ministers for Foreign Affairs
&. &. &.

In my letter of the 12th instant I desired Your Excellencies to cause boats to proceed immediately to the Frigate Niagara, for the purpose of bringing on shore the presents, from the President of the U. S. for H. M. the Tycoon. No boats have as yet been sent, which is very inconvenient, as the Niagara must leave here, on monday the 19th instant.

Lieutenant Wise of the U. S. Navy has been sent out by my Government, in charge of a part of the presents. He is competent to inform you of the use of all the arms and of the machine, for filling fuses.

Should you desire him to do so, Lieutenant Wise will remain here, for the purpose of giving information, as to the foregoing.

A man is on board the ship, who can work the machine for making bullets, and if you wish him, to enter your service, he can do so on terms, that will be made known to you.

I desire Your Excellencies to inform me to morrow, at my interview, whether you desire Lieutenant Wise to remain, and whether you wish the other person to enter into your service.

Noted with respect and courtesy

(signed) Townsend Harris

A true copy

H. W. Bertholf

Enclosure with dispatch No. 44.

No. 1.

Low letter to Mr. Harris.

Dept. Foreign Affairs

Y. de Bakufu 12. 15/10.

Rec'd 12 Feb'y

Legation of the United States

Yedo November 19. 1860.

Sir,

I have the honor to acknowledge the receipt of your two letters dated June 22d, severally introducing Lieutenant Colonel Ripley of the U.S. army and Lieutenant Bise of the U. S. Navy.

Both of these gentlemen took their quarters with me, and the pleasure I had in entertaining them, was enhanced by the consideration, that you had done me the honor to recommend them to me.

I only regret that their stay in Yedo was too short, to enable me to show them as much attention as I could have desired and was due to your introduction.

I have the honor to be

Very respectfully

Your obedient servant

Townsend Harris

The Hon. Lewis Cass.
Secretary of State
Washington

T. Harris. Yedo 19 Nov 1861.

No. 12. Mr Harris

No: 45.

Legation of the United States
Yedo, November 19th. 1860.

Sir,

On the 12th instant, I announced to the Ministers for Foreign Affairs, the arrival here of the United States Frigate Niagara, and at the same time requested H. M. the Tycoon, to honor the ship by a visit.

I have the honor to transmit herewith numbered 1, copy of my letter and also numbered 2, copy and translation of the reply of the Ministers. No. 1 No. 2

I never expected the invitation, would be accepted, but I feel it to be my duty to avail myself of every possible opportunity, to break down the rigid rule of etiquette, which stands in the way of that freedom of intercourse, which obtains among Western Nations, and I hope you will be pleased to approve of my action on this occasion.

I have the honor to be
Very Respectfully
Your obedient servant.
Townsend Harris

To the Honorable Lewis Cass.
Secretary of State
Washington

U. S. Legation
Yedo. Novbr 19. 1860

Enclosure
with despatch

Townsend Harris.

No. 45.

2 Enclosures

Received.

Tycoon declines refuses to visit
the Niagara.

U. S. Legation

Copy
No: 134.

Legation of the United States
Yedo, November 12. 1860

To Their Excellencies
Wakisaka Nacatsoocasa ami Jayu
Ando Tsoosemano cami.
Ministers for Foreign Affairs.
&. &. &.

I have to announce to Your Excellencies, the arrival of the U.S. Steam Frigate Niagara.

This is the largest man of war in the World, and she is very perfect in all her arrangements.

I respectfully invite H. M. the Tycoon to honor this ship by a visit. H. M. will be received with all the high honors, that are paid to the President of the United States, when he makes a visit to a man of war.

I state with respect and courtesy.

(Signed) Townsend Harris.

A true copy

Enclosure

with despatch N. 45.

N. 1.

Letter to the Ministers for
Foreign Affairs.

Yedo November 12/60

Copy of Dutch version

Aan Zyne Excellentie Townsend Harris, Gevolmagtigden en Minister der Vereenigde Staten van Amerika &c. &c. &c.

Op ontvangst van eenen brief Uwer Excellentie, gedateerd de 12de dag van November en genomeroteerd het 134te, hebben wy het aan Z. M. den Taikoen onmiddelyk medegedeeld, dat daar het Stoom fregat Niagara buitengewoon groot en schoon is, het door U. gewenscht is, dat Z. M. de Taikoen het bezigtige. Dan wegens verscheidene hinderenissen, is Z. M. buiten staat gesteld om het toe te stemmen, evenwel is uw vriendschappelyk gevoelen uitdrukkelyk genoeg; waarmede ons belast is, dat het door ons aan U op geschikte wyze medegedeeld zal worden, teneinde wy tot antwoord voor te stellen.

Met eerbied en beleefdheid.

Den 2de dag der 10de maand van het 1ste jaar van Mamm Ten.

(signed) Wakisaka nakatsoeus ano Tajjow

(..) Ando Tsoosimano cami.

A true copy

English Translation.

To His Excellency Townsend Harris, Plenipotentiary, Minister of the U. S. of America.

&c. &c. &c.

On receiving Your Excellency's letter, dated the 12th day of November and numbered 134, we immediately communicated to H. M. the Tycoon, that the Steam Frigate Niagara, being extraordinarily large and beautiful, you wished that H. M. the Tycoon should see her. But owing to various impediments, H. M. is unable to consent to it, he is however grateful for your friendly feeling and we have been ordered to communicate this to you in a proper manner, which we have to state in reply. With respect and courtesy.

The 2d day of the 10th month of the 1st year of Man En. (November 14/60)

(Signed) Wakisaka Nacatsoocasano Tayu

(.) Ando Tsoosemano cam.

A true translation

W. H. Heusken

Enclosure
with despatch N: 45.

N. 2.

Dutch version & English
Translation of the
Ministers' reply.

Yedo November 14/60.

Rec'd 15. Mar. Mr Martin

No: 46.

Legation of the United States
Yedo, November 22d, 1860.

Sir,

The letter of Flag Officer Tattnall dated May 31st, and addressed to the Secretary of the Navy, contains the following paragraph.

"Mr. Ward our Minister to China "knows that both he and I were informed, that "Mr Harris purchased gold."

I feel it to be due to myself to give you a statement of my transactions in Japanese coin.

I have now resided in this country over four years, and during the whole of this period, I have procured sixty five pieces of Japanese gold.

Of these, thirty six pieces were given away by me, as presents to various persons, and the remaining twenty nine pieces were used by me, in August last, in payment of my expenses.

I

To the Hon. Lewis Cass
Secretary of State
Washington

I have never sent a piece of Japanese coin out of the country for sale, nor have I ever purchased or sold it within the country.

I would further state, that the total value of the Japanese gold, which I have had in my possession, during my residence here, is sixty two dollars.

I have the honor to be,

Very respectfully

Your obe dient servant

Townsend Harris

Yedo Novbr 27/60

Townsend Harris

N: 46.

No Enclosures,

Received

Rebutting charge of
trading in Japanese gold.

Rec 12 Feb.

Duplicate.

Yokahama near, Yedo Japan
November 26th, 1860.

Sir,

I beg leave to refer to a letter from the Department to Captain S. F. DuPont, dated in the latter part of June last in regard to my being continued as Interpreter until the arrival of the Japanese Embassy in their country and allowing me $250 for services to be rendered in that capacity during the voyage of the "Niagara out.

I now have the honor to enclose a certificate from Captain Wm. W. McKean stating, that the said services were rendered by me in a satisfactory manner and that no payment was made therefor, and to request, that the Department be pleased either to cause the Pay master of the East India Squadron to be authorised to

The Honorable
Lewis Cass
Secretary of State
Washington
D.C.

pay the said amount to me, or to authorise me to draw in the usual manner on Washington a London as the department may direct for the amount of $ 250 and the difference in the rate of exchange

Owing to irregularity of the mails and the total absence of mail facilities occasionally, I would respectfully request the favor of an answer in triplicate.

With great respect

I have the honor to be, Sir

Your most obedient Servant

A. L. C. Portman.

Care of US Consul.

Duplicate

U.S. Steam Frigate "Niagara"

Yokahama Jpn. November 26. 1860

I hereby certify that Mr. S. L. C. Portman performed his duty as Interpreter during the voyage of this ship with the Japanese Embassy onboard in a Satisfactory manner and that no payment was made by me for Salary due him from the Department of State.

Wm. Wm. Hearn,

Commanding U.S. Steam Frigate "Niagara"

Rec 12. Feby.
Ans. 24. "

Yokahama, near Yedo Japan,
November 26th. 1860.

Sir,

I beg leave to refer to a letter from the Department to Capt S F DuPont dated in the latter part of June last in regard to my being continued as interpreter until the arrival of the Japanese Embassy in their Country and allowing me $250. for Services to be rendered in that capacity during the voyage of the "Niagara" out.

I now have the honor to enclose a certificate from Capt Jam W McKean stating, that the said Services were rendered by me in a Satisfactory manner and that no payment was made therefor and to request that the Department be pleased either to cause the Pay-master of the East India Squadron to be authorised to

The Honorable
Lewis Cass
Secretary of State
Washington
D.C.

pay the said amount to me, or to authorise me to draw
in the usual manner on Washington or London as the De
partment may direct for the amount of $250. and the
difference in the rate of exchange.

Owing to irregularity of the mails and the total
absence of mail facilities occasionally I would respectfully
request the favor of an answer in triplicate.

With great respect
I have the honor to be Sir
Your most obedient Servant.
Wm. L. C. Portman.
Care of US Consul.

U.S. Steam Frigate Niagara

Yokahama (near Yedo), November 28. 1860

I hereby certify that Mr. C. L. Portman performed his duty as Interpreter during the voyage of this ship with the Japanese Embassy onboard in a satisfactory manner and that no payment was made by me for salary due him from the Department of State.

Wm. W. Mc. Kean.
Captain
Commanding U.S. Steam Frigate "Niagara"

J. Harris - Yedo 26 Nov. 1861.

Rec'd 15. Mar. Mr Marcy

N: 47.

Legation of the United States
Yedo, November 26. 1860.

Sir,

I have received a letter from Hostetter Smith of Pittsburgh Pa, covering a letter addressed by them, to H. M. the Tycoon.

They desired me, to present a case of Stomach Bitters to H. M. and also to deliver their letter to him.

I hand you herewith N: 1, copy of a letter written to these persons, in which I gave them my reasons, for declining to comply with their request. No 1

I also transmit herewith N: 2 copy of the letter, addressed to me, and N: 3, copy of the letter, addressed to the Tycoon. N: 2 N: 3

I have the honor to be,
Very respectfully
Your obedient Servant.

Townsend Harris

To the Hon. Lewis Cass.
Secretary of State
Washington,

Yedo November 22/60

Townsend Harris

N: 47

3 Enclosures

Received

Relating to a Case of Bitters presented to H. M. the Tycoon by Hochstetter & Smith.

Copy.

N: 147.

Legation of the United States
Yedo, November 26th 1860.

Gentlemen,

I have to acknowledge the receipt of your letter dated the 26th of June, covering a letter addressed to H. M. the Tycoon of Japan, and informing me, that you had sent to me two cases of Hostetter's Stomach bitters, one of which you desired me, to present with your letter to H. M. the Tycoon.

It would give me great pleasure to comply with your wishes, if I could do so with propriety, but there are objections, which I will briefly state to you.

In these semi civilized lands, mistrust is the rule and confidence the exception. If His Majesty should accept of and use your bitters, and if he should subsequently die or even fall ill, grave suspicions would at once arise, that I had purposely given him some

Messrs Hostetter & Smith
Pittsburgh, Pa.

some deadly or dangerous thing.

I need not point out to you, that such a suspicion, no matter how ill founded, might prove a very serious injury to our affairs in this Country.

The Tycoon does not receive any letters except those, that are addressed to him by the rulers of independent States. I never write to him myself, nor can I with propriety offer him any letters, except such as are inscribed by the President of the United States.

I will dispose of the bitters in the best way I can to promote your interests, and I pray you to accept my cordial thanks for the abundant supply, you have kindly sent for my own use

I am Gentlemen

Your obedient Servant

(Sd) Townsend Harris

A true copy

H.W. Heuken

Enclosure with dispatch No 45

No: 1

Letter to Hollotte. dated

Yedo Nov. 26/10.

Copy.

Pittsburgh Pa June 26th, 1860.

Hon. Townsend Harris

American Minister to Japan.

Dear Sir,

Through the advice of our mutual friends Messrs D. T. Lanman & Kemp of New York, we have taken the liberty to ship on the Niagara two sample cases of Hostetter's Stomach Bitters, one of which with the enclosed letter to his Imperial Sovereign the Tycoon, we desire you to present on our behalf, the other one we most respectfully ask you to accept, for your own use.

The acknowledgement of the receipt and the presentation, will be duly appreciated by yours.

Respectfully

(Signed) Hostetter & Smith

A true copy

H. H. Hostetter

Enclosure

with despatch No: 47

No: 2.

Letter from Hostetter & Smith
to the Minister.

Pittsburgh Pa. June 26/60

Enclosure

Copy.

Pittsburgh Pa. June 26th 1860.

To the Imperial Sovereign
the Tycoon of Japan

Dear Sir,

As a token of our appreciation of the friendly relations, which have been opened between your country and our own, we take pleasure in presenting you, through our Counsel Hon. T. Harris, with a specimen case of Hostetter's Stomach Bitters of our own manufacture, the purposes of which is explained on the label of each bottle.

Trusting this small token of our regard, will be acceptable to Your Lordships, we remain Very respectfully Your friends

(Signed) Hostetter, Smith
Pittsburgh Pa.
United States
North America.

A true copy
H W Hetterstein

Enclosure

with despatch N 47

N: 3.

Letter of Hon Lettie. Smith

to the Tycoon.

Pittsburgh Pa. June 26/60

Rec'd 15. Mar.. Mr Marcy

No: 48.

Legation of the United States
Yedo, December 7th 1860.

Sir,

I yesterday formally presented to Ando Tsoosemano cami, Minister for Foreign Affairs, the presents, sent to H. M. the Tycoon, by the President.

I stated to the Minister, that the presents comprised specimens of all the best arms in use in the United States, and that among them, were some secrets, known only to a few of the officers of the United States Navy.

I observed that the present was an unusual one, as I believed it to be the first instance, in which one Government had given to another specimens, of its most approved weapons.

I desired H. M. to consider this as another mark of the sincere friendship of the President of the United States, and that he would also regard it, as a striking proof, that the United States had no hostile intentions towards

To the Hon. Lewis Cass
Secretary of State.
Washington.

towards Japan, that so far from having any such feeling, my Government wished to see this country, place itself in a position, to be able to defend itself against all wanton and aggressive attacks.

In reply the Minister Hatio, that all the presents, set forth in the lists had been received and that he would make known to H. M. the Tycoon, what I stated in reference to them.

In addition to the presents, named in the lists as transmitted to me by you, there was also presented a heavy launch, to carry two of Dalgreens guns.

I have the honor to be
Very respectfully
Your obedient Servants

Townsend Harris

Yedo, December 7/60

Townsend Harris.

No 48.

No Enclosures

Recd.

Formal delivery of the presents to H. M. the Tycoon.

E Rec. 1. Ap.. Mr Chilton.

N: 49.

Legation of the United States
Texas, December 19th 1860.

Sir,

I have the honor to transmit herewith N: 1 Copy and translation of a letter from the Minister for Foreign Affairs on the subject of American Men of war, visiting the non opened Harbours of this Country. N: 1

I have always told the Minister, that by the comity of Nations, men of war were allowed to visit Harbours, that were not opened to foreign commerce.

The Minister stated that an insuperable objection existed to such visits from the fact, that many of the Harbours were situated within the domains of the Princes, who had exclusive jurisdiction within their Territories, and that he feared difficulties might arise, that would lead to serious complications:

That all vessels in distress or in want of supplies, could enter any of the Ports, but that this was the exceptional case and could not constitute a right of visit at any and at all times.

9

To the Honourable Lewis Cass
Secretary of State
Washington

I respectfully request your instructions in this behalf.

I do not feel authorised to give any directions to Flag officer Stribling, but I shall forward to him a copy of this dispatch and enclosure.

I have the honor to be.

Very respectfully
Your obedient Servant.

Townsend Harris

Yedo, December 19/60.

Townsend Harris.

N: 49.

1 Enclosure

Rec'd.

U. S. men of war entering
non opened Harbours of Japan.

Dutch Version

Aan Zyne Excellentie Townsend Harris, Gevolmagtigde en Minister der Vereenigde Staten van America.

Bij de Zamenkomst van den 12de dag der afgeloopene maand, ben ik, aangaande het ten ankerleggen der oorlogschepen van uw land in eenige plaatsen behalve in de opengestelde havens in ons Rijk, met U in onderhandeling getreden, en toen hebt gy gesproken, dat gy eene voordragt over die punt aan Uwe Regering Zoud doen, en verlieten, ten einde het door dezelve aan de verstande van Kapitein en verdere personen gebragt zal worden, dat zulks voortaan nimmer plaats vinden zal.

Ik ben er voor zulk eenen welgezinden voorzorg verpligt. Ondertusschen is het wenschelyk dat het bovenstaande spoedig geschikt zal worden, daar ik my er voor zeer kommelyk vind, vooral by de hedendaagsche tydsomstandigheden, waar het volks gevoelen onbevredigd is.

Met eerbied en beleefdheid voorgesteld,
Den 6de dag der 11de maand van het 1ste jaar Manen.

(w.g.) Ando Tsoesimano cami.

A true Copy
H. Heusken.

English Translation.

To His Excellency Townsend Harris, Plenipotentiary & Minister of the U.S. of America.

At our interview of the 12th day of last month, I entered into negociation with you, about the anchoring of men of war of your country in places besides the opened Ports of our Empire, and you said, that you would make a proposal about this matter to your Government, and arrange that the latter should give notice of it, to the Captains and other persons, in order that this should not occur any more.

I am obliged for your well meaning precaution, but in the meanwhile it is desirable that the above should be soon arranged, because I feel much concerned about it, especially under the present circumstances, the feeling of the People being dissatisfied.

With respect and politeness.

The 6th day of the 11th month of the 1st year of Man en. (December 18th. 1860)

(Signed) Ando Tsoosemano cami.

A true translation

H. Heusken.

Enclosure

With despatch N. 49

N. 1.

Dispatch from Minister
for Foreign Affairs.

Yedo December 18/60.

Rec'd Apr. Mr Clarke.

E

No: 50.

Legation of the United States.
Yedo December 24th 1860.

Sir,

In my despatch No: 28, dated August 4th, I had the honor to inform you, that a Treaty of Amity and commerce had been negociated in this city, between the Japanese and Portuguese Governments.

I transmit herewith, No 1, copy of the Portuguese version of that Treaty with a Translation of the same. No: 1

I have the honor to be.

Very respectfully
Your obedient Servant

Townsend Harris

To the Honourable Lewis Cass.
Secretary of State,
Washington.

U.S. Legation

Yedo December 24/60

Townsend Harris.

No: 50.

With 1 Enclosure

Perm

With the Portuguese Treaty.

Tratado

de Paz, Amizade e Commercio entre Sua Magestade el Rei de Portugal e Sua Magestade o imperador do Japão. Feito em Portuguez, Japonez e Hollandez em Yedo aos 30 d'Agosto de 1860.

Sua Magestade el Rei de Portugal e Sua Magestade o Imperador do Japão, desejando estabelecer entre os dois Paizes, relações de permanente amizade e facilitar o Commercio entre os seus respectivos subditos; e tendo para este fim resolvido celebrar um Tratado de Paz, Amizade e Commercio, nomearam como seus Plenipotenciarios, a saber:

Sua Magestade el Rei de Portugal, a Izidoro Francisco Guimarães, do Conselho de Sua Magestade, Governador de Macáo, Plenipotenciario de Portugal na China, Commendador das Ordens de Sáo Bento d'Aviz, de Nossa Senhora da Conceiçáo, de Carlos III d'Hespanha, do Elephante de Siam, Official da Muito Nobre e Antiga ordem da Torre e Espada, Cavalleiro da de Christo, Capitáo de Mar e guerra da Armada Real &c.

E Sua Magestade o Imperador do Japáo, a Midzogoetsi Sanoekinokami, Sakai Okinokami e Matsdaira Izirobé; os quaes, depois de terem apresentado os seus Plenos Poderes, que se acharam em boa e devida forma, concordaram nos Artigos seguintes:

Artigo 1

Artigo I.

Haverá perpetua paz e amizade entre Sua Magestade Fidelissima o Rei de Portugal, seus Herdeiros e Successores e Sua Magestade o Imperador do Japão; bem como entre os seus respectivos Dominios e Subditos.

Artigo II.

Sua Magestade o Rei de Portugal, poderá nomear um Agente Diplomatico para residir na cidade de Yedo, bem como Consules, ou Agentes Consulares, para qualquer, ou todos os Portos do Japão, que pelo presente Tratado se abram ao commercio Portuguez.

O Agente Diplomatico, ou Consul Geral de Portugal no Japão, terá o direito de viajar livremente por qualquer parte do Imperio do Japão.

Sua Magestade o Imperador do Japão poderá nomear um Agente Diplomatico para residir em Lisboa; e Consules ou Agentes consulares para qualquer ou todos os Portos de Portugal.

O Agente Diplomatico, ou Consul Geral do Japão, terá direito de viajar por toda a parte de Portugal.

Artigo III.

Os Portos e cidades de Hakodadi, Kanagawa e Nagasaki serão abertos aos Subditos Portuguezes no 1º de Octubre de 1860.

Em addição a estes, serão abertos os seguintes Portos

Portos e cidades nas datas abaixo especificadas.

Nee gata ou se Nee gata naõ servir como porto, outro porto na Costa occidental de Japaõ; logo que tal porto for escolhido se dará conhecimento.

Hiogo que será aberto no 1º de Janeiro de 1863.

Em todos os Portos e cidades acima mencionadas, poderaõ residir os subditos Portuguezes permanentemente. Teraõ direito de arrendar e aforrar terrenos, comprar edificios nelles situados, e construir cazas ou armazens; porem nenhuma fortificaçaõ ou lugar de forza militar se poderá levantar sob pretexto de construir cazas ou armazens e para vigiar pela execuçaõ deste artigo teem, as Authoridades Japonezas, o direito de inspeccionar quaesquer Construcçõis que os subditos Portuguezes fizerem, alterarem ou repararem.

O Lugar onde os subditos Portuguezes houverem de construir os seus edificios, bem como os Regulamentos dos Portos, seraõ escolhidos e feitos pelo Consul Portuguez e pelas Authoridades Japonezes locaes; e se naõ poderem vir à um accordo sobre estes assumptos, serão referidos ao Agente diplomatico, que os regulará com o Governo Japonez. Nenhuma grade, muralha ou couza que possa impedir a entrada e sahida, será levantada pela Authoridade Japoneza, em torno do lugar onde residirem os Portuguezes.

Os

Os subditos Portuguezes terão a faculdade de ir onde lhes aprouver nos Portos e cidades do Japão, abertos ao Commercio, dentro dos limites seguintes:

Em Kanagawa até ao Rio Logo (que entra na Bahia de Yedo entre Kawasaki e Sinagawa; e dez ris em todas as outras direcções.

Em Hakodade dez ris em todas as direcções. Em Hiogo dez ris em todas as direcções, excepto do lado de Kioto, a cuja cidade se não podem approximar á menos de dez ris. As guarnições dos navios Portuguezes que forem a Hiogo, não poderão atravessar o Rio Enagawa, que desemboca na Bahia entre Hiogo e Osaca. As distancias serão medidas por terra, da casa do Governo de cada um dos Portos acima mencionados; e ri legua igual a 4,275 jardas Inglezas.

Em Nagasaki poderão os subditos Portuguezes ir á todas os lugares na sua vizinhança.

Os limites do Porto que for aberto na costa de Nipon serão marcados pelo Agente Diplomatico Portuguez, de acordo com o Governo Japonez.

Do 1º de Janeiro de 1862 em diante, poderão os subditos Portuguezes residir na cidade de Yedo, e do 1º de Janeiro de 1863 em diante, na cidade de Osaca, unicamente com o fim de negociar. Em cada uma destas duas cidades, e lugares em que possam alugar casas, e as distancias á que poderão ir, será determinado pelo

Agente Diplomatico Portuguez e pelo Governo do Japão

Artigo IV

Todas as questões, que ocorrerem entre subditos Portuguezes, que sejam relativas a propriedade, ou pessoa, nos Dominios de Sua Magestade o Imperador do Japão, serão sugeitas a jurisdicção das Authoridades Portuguezas.

Artigo V.

Os subditos Japonezes, que forem culpados de algum crime commettido contra subditos Portuguezes, serão presos e castigados pelas Authoridades Japonezas, segundo as Leis do Paiz.

Os subditos Portuguezes, que commetterem crime contra os subditos Japonezes, ou contra subdito de qualquer outro Paiz, serão julgados e punidos pelo Consul Portuguez, ou outra Authoridade Portugueza, conforme as Leis de Portugal.

Justiça será administrada, equitativa e imparcialmente, tanto pelas Authoridades Portuguezas, como pelas Japonezas.

Artigo VI.

Quando algum subdito Portuguez tiver de se queixar de algum Japonez, se dirigirá ao Consul. O Consul examinará o caso e fará o que estiver

ao

ao seu alcance, para terminar a questão amigavelmente. Do mesmo modo, se algum Japonez tiver razão de queixa contra algum subdito Portuguez, se apresentará ao Consul, que o deverá attender e diligenciar arranjar o caso amigavelmente. Se estas disputas não poderem assim ser terminados, o Consul requisitará o auxilio das Autoridades Japonezas, para que, examinando os fundamentos com ellas, sejam decididas com equidade.

Artigo VII.

Se algum subdito Japonez deixar de pagar as dividas que tiver contrahido com subditos Portuguezes, ou se fraudulentamente se esconder, as Autoridades Japonezas farão o que estiver ao seu alcance para o trazer perante a Autoridade, e forçar ao pagamento das suas dividas. Do mesmo modo, se algum subdito Portuguez se esconder, ou deixar de pagar as dividas em que tiver incorrido para com subditos Japonezes, as Autoridades Portuguezas empregarão, todos os meios ao seu alcance para o descobrir e obrigar ao pagamento das dividas.

Nem o Governo Japonez, nem o Governo Portuguez, são responsaveis pelo pagamento das dividas contrahidas pelos seus respectivos subditos.

Artigo VIII.

O Governo Japonez não estabelecerá restricções

que

que estorvem o emprego de Japonezes, por subditos Portuguezes, em serviços que não sejam contrarios ás Leis.

Artigo IX.

Aos subditos Portuguezes residentes no Japão, é permittido o livre exercicio da sua Religião; e tem direito de construir edificios proprios para seu culto.

Artigo X.

Todas as moedas estrangeiras terão curso no Japão, e passarão pelo seu correspondente pezo em moeda Japoneza do mesmo metal. Tanto os subditos Portuguezes, como Japonezes, usarão livremente de moëdas estrangeiras, ou Japonezas nos seus pagamentos uns aos outros. Moedas de toda a qualidade (com excepção da moeda de cobre Japoneza) bem como ouro e prata estrangeira por cunhar, podem ser exportadas do Japão.

Artigo XI.

Objectos para uso dos navios de Guerra Portuguez podem ser desembarcados e armazenados nos Portos de Kanagawa, Hakodade e Nagasaki, debaixo da vigilancia das Authoridades Portuguezas, sem pagarem direitos; se porem, algum destes artigos fôr depois vendido no Japão, o comprador pagará ás Authoridades Japonezas os devidos direitos.

Artigo XII.

Se

Se algum navio Portuguez, que chegar fora dos Portos do Japão, abertos ao commercio, poderá tomar Piloto Japonez para o conduzir para o porto.

Do mesmo modo, quando os navios tiverem satisfeito os direitos e mais obrigações do Regulamento do Porto, e estiverem promptos à partir, poderão engajar Piloto Japonez, para os pôr fora do porto.

Artigo XIV

Nos Portos do Japão abertos ao commercio teem os subditos Portuguezes plena liberdade de importarem dos seus portos, ou de outros quaesquer, de venderem, comprarem e exportarem, para os seus ou outros portos, toda a qualidade de mercadoria, que não seja contrabando, pagando os direitos em conformidade da Tarifa annexa ao presente Tratado, sem nenhuma outra exigencia.

As munições de guerra só podem ser vendidas ao Governo Japonez ou a estrangeiros. Todas as outras fazendas poderão ser vendidas ou compradas a Japonezes, sem intervenção dos empregados do Governo Japonez em taes compras e vendas nem nos seus pagamentos; e todos os Japonezes poderão comprar, vender e usar quaesquer artigos que lhes sejam vendidos pelos Portuguezes.

Artigo XV.

Se os Empregados da Alfandega não ficarem satisfeita

satisfeitos como valor dado as fazendas pelos seus donos, poderão arbitrar-lhes um outro, offerecendo se a tomal-as por essa avaliação; se o dono das fazendas recusar a offerta, será obrigado a pagar os direitos conforme essa avaliação. Se a offerta fôr aceita pelo dono das fazendas, serão pagos immediatamente sem desconto, ou abatimento algum.

Artigo XVI.

Todas as fazendas importadas no Japão por Subditos Portuguezes, e que tiverem pago os direitos fixados por este Tratado, poderão ser transportadas pelos Japonezes, para qualquer parte do Imperio, sem pagamento de nenhum tributo, licença ou direito de transito.

Artigo XVII.

Os Portuguezes que tiverem importado mercadorias nos Portos do Japão abertos ao commercio, e pago os respectivos direitos poderão reexportal-as para outros quaesquer Portos Japonezes, tambem abertos ao commercio, sem pagamento de nenhum direito additional, tendo se munido de um certificado, da Authoridade da Alfandega, de haverem pago os direitos devidos nesses portos.

Artigo XVIII.

As Authoridades Japonezes, nos differentes portos abertos

abertos ao commercio, adoptarão as medidas, que julgarem convenientes, para evitar contrabandos e fraudes.

Artigo XIX.

Todas as multas e confiscações feitas a subditos Portuguezes em consequencia d'este Tratado, pertencem ao Governo do Imperador do Japão

Artigo XX.

Os Artigos do Regulamento de Commercio apenso á este Tratado, formarão parte integrante d'elle; e ha obrigativos para ambas as Altas Partes contractantes e seus subditos.

O Agente diplomatico Portuguez no Japão; com a pessoa ou pessoas, que forem nomeadas pelas Authoridades Japonezas, terão os poderes para fazerem os regulamentos necessarios para pôr em execução as estipulações deste Tratado, e dos Artigos do Regulamento do Commercio que lhes são apensos.

Artigo XXI.

Este Tratado, sendo escripto em Portuguez, Japonez e Hollandez; e todas as vezes sendo conformes em espirito e intenção, será o Hollandez considerado como o original; porem deve entender-se que todas as communicações officiaes dirigidas pelo Agente diplomatico e pelos Consules Portuguezes, deverão

ser

escriptas em Inglez; para facilitar, comtudo, as transacções de negocios serão, nos primeiros tres annos depois da assignatura d'este Tratado, acompanhadas de uma traducção em Hollandez ou Japonez.

Artigo XXII.

É stipulado que qualquer das Altas Partes contratantes deste Tratado, dando previo aviso de um anno, poderá pedir a sua revisão no 1º de Julho de 1872, ou depois deste dia, a fim de fazer nelle as emendas, que a experiencia tiver mostrado serem desejaveis.

Artigo XXIII.

É expressamente estipulado, que o Governo Portuguez e seus subditos gosarão de todos os privilegios, immunidades e vantagens, que tenham sido, ou que forem para o futuro, concedidas por Sua Magestade o Imperador do Japão, aos Governos e subditos de outras quaesquer Nações.

Artigo XXIV

A ratificação d'este Tratado, por Sua Magestade o Rei de Portugal e por Sua Magestade o Imperador do Japão, será trocada em Yedo, no espaço de 18 mezes depois da sua assignatura.

Feito

Feito em Yedo, aos tres d'Agosto do Anno do Nascimento de Nosso Senhor Jesus Christo, de 1860. que corresponde na data Japoneza aos desanete dias do oitavo mez do Anno primeiro de Man Ensi Kanoye Saru.

(Assignados) Isidoro Francisco Guimarães
Midzogoetsi Sanoekino Kami
Sakai Okino Kami
Matsdaira Dzioshé.

Regulamento para o Commercio Portuguez no Japão

Artigo I.

No espaço de quarenta e oito horas (Domingos exceptuados) depois da chegada de qualquer navio Portuguez aos Portos do Japão, o Capitão ou Commandante, mostrará á Authoridade da Alfandega, o recibo do Consul, mostrando que depositou no Consulado Portuguez os conhecimento de carga e mais papeis. e então dará entrada a seu navio, entregando um documento em que declare o nome de seu navio, o do porto d'onde vem, a tonelagem, o nome do Capitão, e os dos passageiros (no caso de os ter) e numero da equipagem; documento que o Capitão certificará ser verdadeiro, e que será assignado por elle, depositará ao mesmo tempo um Manifesto por escripto da carga, notando as marcas e numeros dos pacotes e seus conteudos, como foram descriptos no conhecimento com os nomes da pessoa ou pessoas á quem são consignados. Uma relação dos mantimentos

e

e sobresallentes do navio deve juntar-se ao Manifesto. O Capitão certificará que o manifesto é a correcta relação da carga e frem do navio, e assignará.

Se algum uso se descubrir no Manifesto não correcto em vinte e quatro horas (Domingos exceptuados) sem pagamento de emolumentos; porem se alguma alteração, ou entrada posterior ao Manifesto, tiver lugar depois d'aquelle numero de horas, é devido o pagamento de quinze patacas de emolumento. Todas as fazendas que não constarem do Manifesto, pagarão direitos dobrados, quando forem desembarcadas.

Todo o Capitão, ou commandante de navio Portuguez, que não der entrada na Alfandega no tempo acima especificado, pagará uma multa de sessenta patacas, por cada dia, que se tiver demorado em o fazer.

Artigo II

O Governo Japonez tem o direito de pôr officiaes d'Alfandega a bordo dos navios, nos seus Portos (excepto em navios de Guerra) Estes officiaes d'Alfandega deverão ser tratados com civilidade, e accomodados segundo a capacidade do navio.

Nenhumas mercadorias serão desembarcadas dos navios, do pôr até ao nascer do sol, excepto por especial licença das Authoridades da Alfandega; as escotilhas e todas as entradas para os lugares

onde

onde está a carga, podem ser fechadas pelos empregados Japonezes, do pôr ao nascer do sol, com selos, chaves, cadeados ou por outro qualquer meio, e se alguma pessoa sem permissão da Alfandega abrir qualquer entrada que assim tenha sido fechada, ou quebrar, ou remover os selos ou cadeados ou fechaduras, que tenham sido postas pela Alfandega, pagará sessenta patacas de multa por cada transgressão.

Quaesquer fazendas que forem desembarcadas ou que se tentem desembarcar sem terem entrado na Alfandega Japoneza, como aqui se ordena, são sujeitas a tomadia e confisco.

Pactos de fazendas feitos com intenção de fraudar os direitos do Japão, ocultando artigos que não estejam mencionados na factura serão tomados.

Se algum navio Portuguez fizer contrabando ou tentar fazel-o em algum dos portos do Japão não abertos ao commercio, todas as fazendas serão confiscadas a beneficio do Governo Japonez; e o navio pagará uma multa de mil patacas por cada contravenção.

Navios que carecem de concertos, poderão desembarcar as suas cargas sem pagamento de direitos. Todas as fazendas, assim embarcadas ficarão a cargo das Authoridades Japonezas, e pagarão hão todas as despezas d' armazenagem, trabalho e vigilancia. Porem

se

se alguma porção de taes cargas for vendida, serão pagos os direitos regulares pelas porções do que assim se dispuser.

Podem se baldear as cargas de um navio para outro sem pagamento de direitos; porem estas baldeações serão feitas debaixo da inspecção dos empregados Japonezes, e depois de se ter dado as Authoridades Japonezas prova satisfactoria da boa fé de taes baldeações, e com licença da mesma Authoridade.

A importação do opio sendo prohibida, todo o Opio que trouxer algum navio Portuguez, e que exceda a tres cates, será tomado e destruido pela Authoridade Japoneza. Se alguma pessoa ou pessoas, fizerem contrabando d'opio, ou tentarem fazel-o, pagarão uma multa de quinze patacas por cada cate d'opio que desembarcarem, ou tentarem desembarcar por contrabando.

Artigo III.

O dono ou consignatario de quaesquer fazendas, que deseje desembarcal-as, dará entrada d'ellas na Alfandega. A entrada será feita por escripto, declarará o nome da pessoa que faz a entrada, e o nome do navio em que as fazendas foram importadas, e as marcas, numeros, pacotes e contheudos d'elles, com o valor de cada pacote, notado

se para darmente

separadamente em uma parcela, e no fim a somma total do valor da entrada. Em cada entrada, o dono ou consignatario certificará por escripto que a entrada assim apresentada, mostra o custo actual das fazendas e que nada se occulta para fraudar os direitos do Japão; e este certificado será assignado pelo dono ou consignatario.

Os originaes da factura de todas as fazendas assim entradas, serão apresentados as Authoridades da Alfandega, e ficarão em seu poder até que as fazendas constantes da entrada sejam examinadas.

Os empregados Japonezes podem examinar qualquer ou todos os paçotes assim entrados, e para este fim os poderão levar para a Alfandega: porem tal exame será feito sem despesa para o importador, nem damno para as fazendas; depois do exame, os Japonezes porão as fazendas nos paçotes como estavam (quanto possivel) e este exame será feito com rasoavel brevidade.

Se algum dono, ou importador descobrir que as suas fazendas foram damnificadas na viagem de importação, antes que essas fazendas foram damnificadas, dará parte as Authoridades da Alfandega de taes avarias; e as fazendas avariadas serão avaliadas por duas ou mais pessoas competentes e desinteressadas, que depois do devido exame, passarão um certificado, determinando quantos percentos d'avaria tem cada paçote,

descrevendo

descrevendo o pela sua marca e numero, sendo em certificado assignado pelos avaliadores na presença das Authoridades da Alfandega; e o importador addicionará em certificado à sua entrada, e fará n'ella a competente deducção. Porem isto não impede as Authoridades da Alfandega de avaliarem as fazendas, em conformidade do Artigo XV do Tratado a que este Regulamento é apenso.

Depois de pagos os direitos, o dono das fazendas receberá um ordem para que ellas sejam entregues, quer estejam na Alfandega ou a bordo.

Todas as fazendas que houverem de ser exportadas, darão entrada na Alfandega antes de serem mandadas para bordo.

A entrada será por escripto, e declarará o nome do navio em que as fazendas devem ser exportadas, com as marcas e numeros dos pacotes; e a quantidade, descripção e valor dos contheudos. O exportador certificará por escripto que a entrada é a verdadeira relação das fazendas contidas nos pacotes; e assignará o certificado.

Quaesquer fazendas, que forem postas a bordo para exportação antes de terem dado entrada na Alfandega, e todos os pacotes que contiverem artigos prohibidos, serão confiscadas a beneficio do Governo Japonez.

Não se exige entrada na Alfandega dos mantimentos para uso dos navios, suas guarnições e passageiros nem das bagagens dos passageiros.

Artigo IV.

Os navios que quiserem despacho de sahida, darão parte à Alfandega com vinte e quatro horas de antecedencia, e passado este prazo teem direito a despacho; porem se lhes for recusado, as Authoridades da Alfandega informarão immediatamente o Capitaõ e consignatarios do navio, das rasões pelas quaes se lhe recusa despacho, e darão tambem parte ao Consul Portuguez.

Os navios de Guerra Portuguezes naõ dão entrada, nem carecem de despacho da Alfandega; nem podem ser visitados pelos Empregados da Alfandega ou da Policia.

Vapores conduzindo Malas, podem dar entrada e terem despacho no mesmo dia, e naõ farão Manifesto senão dos passageiros, ou fazendo que houverem de desembarcar nos Portos do Japaõ. Porem estes vapores em todo o caso devem dar entrada e despacharem na Alfandega.

Navios baleeiros, que tocarem nos portos para se proverem de mantimentos, ou navios com avarias, naõ tem de fazer Manifesto das suas carregações; porem se depois quiserem negociar, deporitarão o Manifesto conforme o Artigo 1

A palavra navio que occorre neste Regulamento, e no Tratado a que e apenso, significa toda a qualidade de embarcaçaõ de vela ou vapor.

Artigo V.

Toda a pessoa que assignar uma declaraçaõ falsa,

ou

ou certificado, com intenção de fraudar os direitos do Japão pagara uma multa de cento e vinte cinco patacas por cada contravenção.

Artigo VI.

Os navios Portuguezes não pagarão nos Portos do Japão direitos de Tonelagem, mas sim os seguintes emolumentos as Authoridades das Alfandegas.

Pela entrada da embarcação	$ 15.00
Pelo despacho da sahida	7.00
Por cada licença	1.50
Pela carta de Saude	1.50
Por outro qualquer documento	1.50.

Artigo VII.

O Governo Japonez receberá os direitos, pelas fazendas importadas no Japão, segundo a seguinte Tarifa.

Classe I

Todos os artigos desta classe são livres de direitos
Ouro e prata cunhado ou por cunhar
Artigos de vestuario em uso actual.
Mobilia de caza e livros impressos; que não seja para vender, mas sim propriedade de pessoas que venham residir no Japão

Classe II

Os seguintes Artigos pagarão um direito de cinco por cento.

Todos os artigos que se usam para construir, aparelhar,

Concertar

Conserbas, ou reparar navios.
Utensilios da pesca da balea. Provisoes salgadas de toda a especie
Paõ e artigos de farinha, Animaes vivos de toda a especie,
Carvaõ, Madeira para construcçaõ de cazas. Arroz, Nelle, Machinas
de vapor, Zinco, Chumbo, Folha de lata, Seda em rama
Fazendas manufacturadas de linho, algodaõ ou laã.

Clase III.

Todas as bebidas espirituosas pagaraõ trinta e cinco por cento
de direitos, quer sejam preparadas por distillaçaõ, fermentaçaõ
ou de outra qualquer modo.

Classe IV.

Todas as mercadorias, naõ incluidas nas classes
precedentes, pagaraõ vinte por cento de direitos

Artigo VIII.

O Governo Japonez receberá direitos pelas fazendas
exportadas do Japaõ, segundo a seguinte Tarefa.

Todos os Artigos de producçaõ Japoneza que
forem exportados como carga, pagaraõ um direito
de cinco por cento, a excepçaõ das moedas de ouro,
prata, e do cobre em barra.

Arroz e centeio, produzidos no Japaõ naõ
seraõ exportados como carga; porem tanto os Subditos
Portuguezes residentes no Japaõ, como as guarniçoes
e passageiros dos navios Portuguezes, seraõ providos
com a quantidade sufficiente para seu uso.

Cereaes estrangeiros, trazidos aos Portos do
Japaõ em navios Portuguezes se nenhuma parte
a elles

d'elles tiver sido desembarcada, poderão ser re-exportadas sem entrave. O Governo Japonez venderá occasionalmente, em leilão publico, o cobre que poder dispensar

Artigo IX.

Quatro annos depois da assignatura d'este Tratado as Tarifas dos direitos de Importação e Exportação serão reconsideradas, se os Governos Portuguez ou Japonez o desejarem.

Treaty of
Peace, Amity and Commerce.
between His Majesty the King of Portugal.
and
His Majesty the Emperor of Japan.
Executed in Portuguese, Japanese and Dutch at Yedo the 3d of August 1860.

His Majesty the King of Portugal and His Majesty the Emperor of Japan, desiring to establish between the two Countries, relations of permanent friendship and to facilitate commerce between their respective subjects, and having for that purpose resolved to make a Treaty of Peace, amity and commerce, have named, as Their Plenipotentiaries, that is to say.

His Majesty the King of Portugal, Isidoro Francisco Guimarães, of His Majesty's Council, Governor of Macao, Plenipotentiary of Portugal in China, Commander of the orders of St Bento d'Aviz, of Our Lady of the Conception, of Charles III of Spain, of the Elephant of Siam, Officer of the most noble and most ancient order of the Tower and Sword, Knight of the order of Christ, Captain of the Navy and army of the Royal Fleet, etc. etc. etc.

And His Majesty the Emperor of Japan, Midzogootsi Sanookino Kami, Sakey Okino Kami and Matsdayra Dzinobay, who after having

having communicated to each other their Full Powers, and found them to be in good and due form, have agreed upon the following Articles -

Article I.

There shall be perpetual peace and friendship between His Most Faithful Majesty the King of Portugal, his heirs and successors, and His Majesty the Emperor of Japan, and between their respective dominions and subjects.

Article II.

His Majesty the King of Portugal may appoint a Diplomatic Agent to reside at the City of Yedo, and Consuls or Consular Agents for any or all of the Ports of Japan, which are opened to Portuguese Commerce, by this Treaty.

The diplomatic Agent or Consul General of Portugal in Japan shall have the right to travel through any part of the Empire of Japan.

His Majesty the Emperor of Japan may appoint a diplomatic Agent to reside at Lisbon, and Consuls or Consular Agents for any or all of the Ports of Portugal.

The diplomatic Agent or Consul General of Japan shall have the right to travel freely through any part of Portugal.

Article III.

Article III.

The Ports and Towns of Hakodade, Kanagawa and Nagasaki shall be opened to Portuguese subjects on the 1st of October 1860. In addition to which, the following Ports and Towns shall be opened to them, at the dates hereinafter specified.

Nee-e-gata, or if Neegata is found to be unsuitable as a Harbour, another Port on the West-coast of Nipon, and notice will be given of the selection of such a Port.

Hiogo shall be opened the 1st of January 1863.

In all the foregoing Ports and Towns, Portuguese subjects may permanently reside. They shall have the right to rent or lease ground, purchase the buildings thereon, and erect dwelling or warehouses, but no fortification or place of military strength shall be erected, under pretence of building dwelling or warehouses, and to see that this Article is observed, the Japanese Authorities shall have the right to inspect any buildings which are being erected, altered or repaired by Portuguese subjects.

The place where Portuguese subjects will have to erect their buildings and the Harbour Regulations shall be selected and made by the Portuguese Consul and the Japanese local Authorities, and, if they cannot agree about these matters, they shall be referred to the Diplomatic Agents, who will settle them with

the

with th Japanese Government. No fence, wall or anything that may prevent the ingress or egress shall be erected by the Japanese Authorities, round the place of residence of the Portuguese.

Portuguese subjects shall be free to go, where they please, within the following limits in the Ports and cities of Japan, which are opened to commerce.

At Kanagawa to the River Logo, (which empties into the Bay of Yedo between Kawasaki and Sinagawa) and ten Ris in any other direction.

At Hakodade ten Ri, in any direction.

At Hiogo ten Ri in any direction, that of Kioto excepted, which city shall not be approached nearer than ten Ri. The crews of Portuguese vessels resorting to Hiogo, shall not cross the River Enagawa which empties into the Bay between Hiogo and Osaca. The distances shall be measured by land from the Government House of each of the foregoing Ports, the Ri being equal to 4.275 English yards.

At Nagasaki, Portuguese subjects may go to every place in its neighbourhood.

The boundaries of the Port, that will be opened on the coast of Nipon shall be settled by the Portuguese diplomatic Agent and the Japanese Government.

From the 1st of January 1862, Portuguese subjects

Subjects may reside in the City of Yedo, and from the 1st of January 1863 in the City of Osaca, only for the purposes of trade. In each of these two cities, the place within which they may hire houses. and the distances they may go, shall be settled by the Portuguese Diplomatic Agent and the Government of Japan.

Article IV.

All questions; whether of property or person, arising between Portuguese Subjects in the dominions of His Majesty the Emperor of Japan, shall be subject to the jurisdiction of the Portuguese Authorities.

Article V.

Japanese subjects, who may be guilty of any crime towards Portuguese Subjects shall be arrested and punished by the Japanese Authorities, according to the laws of the Country.

Portuguese Subjects, who may commit any crime against Japanese subjects or the subjects of any other Country, shall be tried and punished by the Portuguese Consul or other Portuguese Authority, according to the laws of Portugal.

Justice shall be equitably and impartially administered, as well by the Portuguese as by the Japanese Authorities.

Article VI.

A Portuguese Subject having reason to complain of any Japanese, will proceed to the Consul. The Consul will examine the case, and will do the utmost to arrange the question amicably. In like manner, if any Japanese have reason to complain of any Portuguese Subject, he will proceed to the Consul, who will hear him and endeavour to arrange the case amicably. If these disputes cannot be settled in this manner, the Consul shall request the assistance of the Japanese Authorities, that they may together examine the same and decide it equitably.

Article VII.

Should any Japanese Subject fail to discharge debts incurred to Portuguese subjects or should he fraudulently abscond, the Japanese Authorities will do their utmost to bring him to justice, and to enforce payment of his debts. Should any Portuguese subject in like manner abscond or fail to pay debts incurred by him to Japanese subjects, the Portuguese Authorities will adopt every means in their power to discover him and to enforce the payment of the debts.

Neither the Japanese nor Portuguese Government, will be responsible for the payment of debts, contracted by their respective subjects.

Article VIII.

Article VIII.

The Japanese Government will place no restrictions, interfering on the employment of Japanese by Portuguese subjects, in any occupation which is not contrary to law.

Article IX.

Portuguese subjects residing in Japan, shall be allowed the free exercise of their religion, and have the right to erect suitable buildings for their worship.

Article X.

All foreign coin shall be current in Japan, and shall pass for its corresponding weight in Japanese coin of the same metal.

Portuguese subjects as well as Japanese will freely use foreign or Japanese coin, in making payments to each other. Coins of all description (with the exception of coin of Japanese copper, as well as foreign gold and silver uncoined, may be exported from Japan.

Article XI.

Supplies for the use of Portuguese men of war, may be landed and warehoused in the Ports of Kanagawa, Hakodade and Nagasaki, under the custody of the Portuguese Authorities, without the

the payment of any duty, but if any such supplies are sold in Japan, the purchaser shall pay the proper duty to the Japanese Authorities.

Article XII.

If any Portuguese vessel be wrecked on the coast of Japan or be compelled to take refuge in any of the Ports of the Dominions of His Majesty the Emperor of Japan, the Japanese Authorities on being apprized of the fact, shall render them all the anistance in their power, the crews shall be friendly received and treated, and, if necessary, will be sent to the nearest Portuguese Consulate.

Article XIII.

Any Portuguese vessel arriving off the Ports of Japan, which are opened to commerce, can take a Japanese Pilot to bring her into port.

In like manner, after the vessels have discharged the duties and other obligations of the Port Regulations and are ready to take their departure, they may engage a Japanese Pilot to take them out of the Port.

Article XIV.

In the Ports of Japan, which are open to.

to trade, Portuguese Subjects shall be at full liberty to import from their own or any other Ports, to sell, purchase and export to their own or other Ports, all manner of merchandize, not contraband, paying the duties, according to the Tariff annexed to the present Treaty, without any other charge. Munitions of war may only be sold to the Japanese Government and to Foreigners. All other articles may be sold to or bought from Japanese, without the intervention of Officers of the Japanese Government in such purchases and sales, nor in the payment thereof, and all Japanese may buy, sell and use any articles sold to them by the Portuguese.

Article XV.

If the Officers of the Customhouse are dissatisfied with the value, placed on goods by their owners, they may place another value thereon, and offer to take the goods at that valuation; if the owner of the goods refuses the offer, he shall be obliged to pay duty according to this valuation. If the offer be accepted by the owner of the goods, they shall be paid for, immediately, without any discount or abatement whatever,

Article XVI.

All

All goods imported into Japan by Portuguese subjects, and which have paid the duties fixed by this Treaty, may be transported by the Japanese to every ports of the empire, without the payment of any tax, excise or transit duty whatever.

Article XVII.

Portuguese who have imported merchandise into the Ports of Japan, which are opened to trade, and paid the duties thereon, may export them for any other Japanese Port, which is likewise opened to trade, without the payment of any additional duty, under a certificate from the Custom House Authorities, stating that the proper duties have been paid in these Ports.

Article XVIII.

The Japanese Authorities, at the various Ports open to trade, will adopt the means that they judge proper for the prevention of contraband and fraud.

Article XIX.

All penalties and confiscations made on Portuguese subjects, under this Treaty shall belong to the Government of the Emperor of Japan.

Article XX.

Article XX

The Articles for the Regulation of trade annexed to this Treaty, shall form a part thereof, and shall be binding on both the High contracting Parties and their Subjects.

The diplomatic Agents of Portugal in Japan, in conjunction with such person or persons, as may be appointed by the Japanese Authorities, shall have power to make such rules, as are necessary for the execution of the stipulations of this Treaty, and of the Articles regulating trade, appended thereunto.

Article XXI.

This Treaty being written in Portuguese, Japanese and Dutch, and all the versions being conform in spirit and ~~con~~tention, the Dutch shall be considered as the original, but it is understood, that all the official communications, which are addressed by the Portuguese Diplomatic Agents and Consuls, shall be written in English; to facilitate, however, the transaction of business, they will during the first three years after the signing of this Treaty be accompanied by a Dutch or Japanese translation.

Article XXII

Article XXII.

It is agreed, that either of the High Contracting Parties of this Treaty, on giving one year's previous notice, may demand a revision thereof from the 1st of June 1872, or after that day, with a view to the insertion therein of such amendments, as experience shall prove to be desirable.

Article XXIII.

It is hereby expressly calculated, that the Portuguese Government and its subjects will enjoy all privileges, immunities and advantages which have been or may be hereafter granted by H. M. the Emperor of Japan, to the Governments and Subjects of any other Nation.

Article XXIV.

The Ratification of this Treaty by H. M. the King of Portugal and by H. M. the Emperor of Japan shall be exchanged at Yedo, within 18 months, after its signature.

Done in Yedo, the 3d of August, of the year of the nativity of our Lord Jesus Christ 1870, corresponding to the Japanese date the 17th day of the 6th month of the 1st year of Man en Kanoi Kanoyay Sa roo.

(Signed) Isidoro Francisco Guimarães
(.) Midsogootsi Sanookino cami
(.) Saki Okenokami
(.) Matsdira Izerobay.

2

Regulation
for the Portuguese Trade in Japan.

Article I.

Within 48 hours (Sundays excepted) after the arrival of any Portuguese ships in the Ports of Japan, the Captain or Commander shall exhibit to the Custom House authorities, the receipt of the Consul, showing that he has deposited at the Portuguese Consulate, the bills of lading and other papers, and he shall then make an entry of his ships, by giving a document, in which he states the name of the ships, the Port, from which it comes, the tonnage, the name of the Captain and of the passengers (if there are any), the number of the crew, which paper shall be certified by the Captain to be a true statement and shall be signed by him; he shall at the same time deposit a written manifest of his cargo, setting forth the marks and numbers of the packages and their contents, as they are described in the bills of lading, with the number of the person or persons to whom they are consigned. A list of the stores of the ship shall be added to the manifest. The Captain shall certify ~~that the manifest~~ the manifest to be a true accounts of the cargo and stores of the ships, and shall sign his name to the same.

If any error is discovered in the manifest, it may be corrected in 24 hours (sundays excepted) without the payment of any fee, but for any alteration or post entry to the manifest after that number of hours, a fee of 15 dollars shall be paid. All goods not entered in the manifest shall pay double duties on being landed.

Any Captain or Commander of a Portuguese vessel, who shall neglect to enter his ship at the Custom House, within the time prescribed above, shall pay a penalty of 60 dollars for each day, that he shall so neglect to enter his ship

Article II.

The Japanese Government has the right to put on board of the ships, in its Ports, (men of war excepted) Custom House officers. These Custom House officers will be treaty with civility, and accommodated according to the capacity of the ship.

No goods shall be unladen from the ships, between the hours of sunset and sunrise, except by special permission of the Custom House Authorities, and the hatches and all other places of entrance into that part, where the cargo is stowed, may be secured by Japanese officers, between the hours of sunset and sunrise, by fixing seals, locks or other

of the fastenings, and if any person without the permission of the Custom House, should open any entrance so fastened, or break or remove seals locks or fastenings, fixed thereunto by the Custom House, he shall pay a penalty of 10 dollars for each transgression.

Any goods that shall be discharged or attempted to be discharged, without having been entered at the Japanese customhouse, as herein provided for, shall be liable to seizure and confiscation.

Packages of goods, made up with the intention of defrauding the duties of Japan, by concealing therein articles not mentioned in the Invoice, shall be seized.

If any Portuguese vessel shall smuggle or attempt to smuggle in any of the Ports of Japan, which are not opened to commerce, all such goods shall be forfeited to the Japanese Government, and the ship shall pay a fine of 1000 dollars for each offense.

Vessels needing repairs, may discharge their cargo's without the payment of duties. All goods so discharged, shall remain in the custody of the Japanese Authorities, and all the charges of storage, labour and superviision shall be paid therein. But if any portion of such cargo be sold, the regular duties shall be paid

for

for on the portion so disposed of.

Cargo may be transhipped from one vessel to another, without payment of duty, but such transhipments shall be made under the supervision of Japanese officers, and after satisfactory proof has been given to the Japanese Authorities of the bona fide nature of such transhipments and under a permit of the same Authorities.

The importation of opium being prohibited, all the opium which is found in any Portuguese vessel, exceeding three catties, shall be seized and destroyed by the Japanese Authorities; and any person or persons smuggling or attempting to smuggle opium, shall pay a fine of 15 dollars for any catty of opium so unloaded or attempted to be unloaded.

Article III.

The owner or consignee of any goods, who desires to land them shall make an entry of the same at the Custom House. The entry shall be made in writing, stating the name of the person making the entry, and the name of the vessel in which the goods are imported, with the marks, numbers, packages and their contents, with the value of each package extended separately in one amount, and at the bottom, the aggregate value

of

of the entry. On each entry the owner or consignee shall certify in writing, that the entry then presented, exhibits the actual cost of the goods, and that nothing has been concealed to defraud the duties of Japan, and this certificate shall be signed by the owner or consignee.

The original invoices of all the goods so entered, shall be presented to the Custom House Authorities, and remain in their possession, until they have examined the goods contained in the entry.

The Japanese officers may examine any or all the packages so entered and for that purpose, they may take them to the Custom House, but such examination shall be made without expense to the Importer, nor damage to the goods; after the examination, the Japanese will put the goods in the packages, (in their original condition if possible) and this examination shall be made without any unreasonable delay.

If any owner or importer discovers that his goods have been damaged on the voyage of importation, before such goods have been delivered to him, he will notify the custom House Authorities of such damage, and the damaged goods shall be appraised by two or more persons, who are competent and disinterested. They shall after due examination give a certificate setting forth the amount

per

per cent of damage of each package, describing it by its mark and number, this certificate shall be signed by the appraisers in the presence of the Custom House Authorities; and the Importer shall add this certificate to his entry, and make in it the proper deduction. But this shall not prevent the Custom House Authorities to appraise the goods according to Article XV of the Treaty to which this regulation is appended.

After having paid the duty, the owner of the goods shall receive a permit authorising their delivery to him, whether the same are at the Custom House or on shipboard.

All goods intended to be exported, shall be entered at the Custom House before being shipped.

The entry shall be in writing, stating the name of the ships, in which the goods are to be exported, with the marks and numbers of the packages, and the quantity, description and value of their contents. The exporter shall certify in writing, that the entry is the true statement of the goods contained in the packages, and he shall sign this certificate.

Any goods, that are shipped for exportation before having been entered at the Custom House, and all the packages, containing prohibited articles, shall be forfeited to the Japanese Government.

No entry at the Customhouse shall be required

for

for supplies for the use of ships, their crews and passengers, nor for the luggage of passengers.

Article IV.

Ships wishing to clear shall give 24 hours notice of the same at the Custom House, and at the end of that time, they shall be entitled to their clearance, but if it be refused, the Customhouse Authorities shall immediately inform the Captain or consignee of the ship of their reasons why the clearance is refused, and they shall also give the same notice to the Portuguese Consul.

Portuguese men of war shall not be required to enter or clear at the Customhouse, nor shall they be visited by the Custom House officers or Police Agents.

Steamers conveying the mails, can be entered and cleared at the same day, and they shall not be required to make a manifest except for such passengers and goods as are to be landed in Japanese Ports. But such steamers shall in all cases enter and clear at the Custom House.

Whalers touching for supplies in the ports, or ships in distress shall not be required to make a manifest of their cargo, but if they subsequently wish to trade, they shall then depoit a manifest as required in Article I.

The word ships, wherever it occurs in

this

this Regulation, or in the Treaty to which they are attached, is to be held as meaning any class of sailing or steamships.

Article V.

Any person signing a false declaration or certificate, with the intention of defrauding the duties of Japan, shall pay a fine of 125 dollars for each offence.

Article VI

No tonnage duties shall be levied ~~by~~ Portuguese ships in the Ports of Japan, but the following fees shall be paid to the Customhouse Authorities

For the entry of a ship	$ 15.00
For the clearance of a ship	7.00
For each permit	1.50
For a bill of health	1.50
For any other document	1.50.

Article VII.

The Japanese Government shall receive duties, on goods imported into Japan, according to the following Tariff.

Class 1.

All articles in this class shall be free of duty.
Gold and silver coined or uncoined

wearing apparel in actual use.
Household furniture and printed books, not intended for sale, but the property of Persons coming to reside in Japan.

Class II.

The following articles shall pay a duty of 5 %.
All articles used for the purpose of constructing, rigging fitting out or repairing ships.
Whaling gear.
Salted provisions of all kinds.
Bread and articles of flour.
Living animals of all kind
Coals.
Wood for building houses.
Rice
Paddy
Steam machinery
Zinc
Lead
Tin
Raw silk.
Linen, cotton or woollen manufactured goods.

Class III.

All intoxicating drinks shall pay a duty of 35 %, whether prepared by distillation, fermentation or in any other manner.

Article IV.

Class IV

All merchandise not included in the foregoing classes shall pay a duty of 20%.

Article VIII.

The Japanese Government shall receive duties on articles exported from Japan, according to the following Tariff:

All articles of Japanese production, which are exported as cargo, shall pay a duty of five percent, with the exception of gold, silver coin and copper in bars.

Rice and wheat, produced in Japan shall not be exported as cargo, but Portuguese subjects residing in Japan, and the crews and passengers of Portuguese vessels, shall be furnished with a sufficient quantity for their use.

Foreign grains, brought to the Ports of Japan in Portuguese vessels, if no part thereof has been landed, may be re-exported without hindrance. The Japanese Government will sell from time to time, at public auction, the copper it can dispense with.

Article IX.

Four years after the signing of this Treaty, the Tariff of the Import & Export duties shall be subject to revision, if the Portuguese or Japanese Governments desire it.

Enclosure

to despatch N: 50.

N: 1.

Portuguese version and
English Translation of
the Portuguese Treaty with
Japan

Yedo August 3d. 1860

Rec'd. Apr. 1. Mr Cushing

E

No. 51.

Legation of the United States
Yedo, December 27. 1860

Sir,

On my despatch No. 48 of the 7th instant, I had the honor to inform you, that I had formally delivered to the Japanese Government, the various presents sent to His Majesty the Tycoon, by the United States Frigate Niagara.

I transmit herewith, numbered 1 Copy and translation of a letter from the Minister for Foreign Affairs, acknowledging the receipt of the presents and covering a list of the same. No. 1

I have the honor to be.
Very respectfully
Your obedient Servant.
Townsend Harris

To the Honourable Lewis Cass
Secretary of State
Washington.

Yedo December 27/60

Townsend Harris.

No: 51.

1 Enclosure.

Recd.

With receipt of Presents
from the Japanese Authorities

Copy of Dutch version.

Aan Zyne Excellentie Townsend Harris, Gevolmagtigde Minister der Vereenigde Staten van Amerika.

Hetgeen gy in uwen brief N. 154 gy dateerd den 17e. December voorgesteld hebt, heb ik wel begrepen.

De verscheidene geschenken van Z. M. den President aan Z. M. den Taikoen van Japan, heb ik overeenkomstig de huinevenogaande lyst ontvangen en onmiddelyk aan Z. M. den Taikoen vertoond.

Met een groot genoegen heeft Z. M. de Taikoen my last gegeven, dat de dank daarvoor U bekend zal worden zoo is het wenschelyk dat gy zulks aan Z. M. den President op eene voegzame wyze wilt voordragen.

Met erbied en beleefdheid voorgesteld.

De 11e dag der 11e maand van het 1e jaar van Man En.

(Sign) Andr. Froesmann Kam.

A true copy
W. Williams

English Translation

To His Excellency Townsend Harris, Plenipotentiary Minister of the U. S. of America.

The contents of your letter N. 154, dated December 17th I have well understood.

I have received according to the annexed list the various presents from H. M. the President to H. M. the

the Tycoon of Japan and shown them immediately to H. M. the Tycoon.

Greatly pleased, H. M the Tycoon has ordered me to express his thanks for the above to you, and it is desirable that you should state this, in a proper manner, to H. M. the President.

Stated with respect and courtesy.
The 11th day of the 11th month of the 1st year of Man En.

(Signed) Ando Tsoemano cami.

A true translation
W. H. Seward

Copy of Dutch version.

Lijst.

de door het departement der Marine als geschenken gezonden Artikelen.

Eene Battery Howitzers:
- 4 Howitzen van welke één gegroefd is
- 4 veldwagens
- 4 bootwagens
- 162 Shrapnel
- 54 Bommen
- 81 Fijne Boren.
- Equipement, Extra stukken

Eene machine tot het maken van vuurroeren.
1 Modelgeweer
Drie gereedschappen voor de vuurroeren machine.
100 kogels voor de gegroefde Howitzer
Een oorlogs lijfs boot die 2 kanonnen kan nemen

De wapenen door het Departement van oorlog te worden geschenken aan de Japansche Regering. te weten:
1 Berg Howitzer, met wagen, wagentuig gereedschappen enz.
1 draagbare smederij met smids gereedschappen compleet.
100 Bukken cal. 58 National Armory helder
1 do " do do gebruineerd
1 Buks " do do met Swrad bayonet.
1 do " 54 do
1 gladde geboorde geweer 69 do percussie
1 do do do veranderd model 1840.

/ gladde geboorde geweer bg veranderd model bruin 1822
/ do do do do vernisten helder
/ do do do do do bruin
/ Hall's Karabijn
/ Coll's buks.
2 do Karabijne
/ Sharp's karabijn
/ Burnside's do.
/ Maynard's do.
/ Joslyn's do.
/ Merrill's do.
/ Morse's do.
/ Smith's do.
/ Jeuamie pistool
/ Coll's Gelt pistool
/ do Holster pistool
/ do do do verbeterd model met / Hok
/ Kavalery sabel met riem
/ artillerie te paard sabel " do.
/ onderofficiers zwaard " do
/ Musiek anden zwaard " do.
100 patronen voor iedere der bovengenoemde kleine wapens.
36 patronen vastgelechte ammuniti voor de Houwitsers.
/ stel paard equipementen
100 aeuntrementen voor buksen cal. 58.
/ do " buks met zwaard bayonet
/ kogel pers.

1 percussie machine
1 Kist bolten voor militaire onderwerpen tot het ordonnans departement.
1 Sibley Tent
1 Vanzel.

Boeken als presenten gezonden door het Departement van Staat.

Reporten vanden Stillen Zuidzee spoorweg	13 deelen
Expeditie van Gilles naar Chili	1 "
Perry's expeditie naar Japan	4 "
Grenzen opmeting van Emory	3 "
De Indische Stammen van Schoolcraft	6 "
Perry's expeditie naar Japan	3.

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2 werken van Commodore Perry's Expeditie naar Japan, gezonden door den Secretaris van Staat aan de Ministers van Buitenlandsche Zaken.

De bovengemelde Artikelen ontvangen te hebben, verzeken ik:

Den 24st dag der 10de maand van het 1e jaar van Manen.

(w.g.) Ando Tsusimano cami.

Eine ware vertaling.
H. Heusken.

Copy of English Translation

List of Articles sent as presents from the Navy Department.

A Battery of Howitzes
- Four Howitzers of which one is rifled
- Four Field carriages
- Four Boat carriages
- 162 Shrapnell
- 54 Shells
- 81 Cannister
- Equipments, Spareparts &c.

A machine for driving fuzes
1 Pattern musket
Box of Tools for the Fuze machine
100 shot for the rifled Howitzer
A man of war boat fit to carry two guns.

List of arms presented by the Depaiment of war to the Japanese Government, to wit:

1 Mountain Howitzer with carriage, harness, implements &c.
1 Portable Forge with smith Tools complete.
100 Rifle muskets Cal 58. National armory bright
1 do " do. do. browned.
1 Rifle " do do with sword bayonet
1 do. " 54 do
7 Smooth bore muskets. 69 do percussion
1 do do do altered model 1840
1 do. do do brown 1842

1 Smoothbore musket 69. National armory flint bright
1 do do. do. do. brown.
1 Hall's carbine
1 Colt's rifle.
2 do. carbines
1 Sharp's carbine
1 Burnside's do.
1 Maynard's do.
1 Joslyn's do.
1 Merrill's do.
1 Mowe's do.
1 Smith's do.
1 Percussion Pistol
1 Colt's Belt do.
1 do Holster do.
1 do. do. do. improved model with 1 Steel
1 Cavalry Sable with belt.
1 Horse Artillery do " do
1 Noncommissioned Officer's Sword " do
1 Musician's do " do.
100 cartridges for each of the above small arms
36 rounds of fixed ammunition for Howitzer
1 Set of Horse Equipments.
100 " " accoutrements for Rifles cal. 58.
1 do do " Rifle with Sword Bayonet.
1 Bullet Press.
1 Percussion Cap Machine

1 Box of Books on military subjects pertaining to ordnance department.
1 Sibley Tent.
1 Knapsack.

Books sent as Presents by the Department of State

Pacific Railroad reports	13 volumes
Gillis' Expedition to Chili	1 "
Perry's Expedition to Japan	4 "
Emory's Boundary Survey	3 "
Schoolcraft's Indian Tribes	6 "
Perry's expedition to Japan	3 "

2 Setts of Commodore Perry's Expedition to Japan sent by the Secretary of State to the Ministers for Foreign Affairs.

I certify to have received the above mentioned Articles.

The 24th day of the 10th month of the 1st year of Man en.

(signed) Ando Tsoosemano cam.

A true translation

H W Halleck

Enclosure

with despatch N. 51

—

N: 1.

Letter from Minister for Foreign Affairs with receipt for Presents.

Yedo, December 23d/10.

Recd 1. Apr. Mr Walker

E

No 52.

Legation of the United States
Yedo, December 31st 1860.

Sir,

I have the honor to transmit herewith, a list of the Persons employed at this Legation, during the year 1860.

I have the honor to be,

Very respectfully
Your obedient Servant,

Townsend Harris

To the Honourable Lewis Cass.
Secretary of State
Washington.

Yedo, December 31/60.

Townsend Harris

No: 59.

1 Enclosure

Received.

With list of persons employed
at the Legations.

List of Persons employed at the United States Legation during the Year 1860.

ame.	In which Capacity	Date of appointmen.	Of which Country a citizen or subject.	Where born.
send Harris	Minister Resident	January 19/59.	United States of America	New York.
. J. Heusken	Interpreter	March 1. 1856.	Holland	Amsterdam.

Legation of the United States
Yedo, December 31. 1860.
Townsend Harris

Enclosure

with despatch N. 52.

List of persons employed
at the Legation

N. 1.

Yedo December 31/60.

Rec'd Apr. 1. Mr Clarke

E1

No: 53.

Legation of the United States
Yedo, December 31. 1860.

Sir,

I have the honor to transmit herewith list of despatches, addressed by this Legation to the State Department, during the year 1860.

I have the honor to be
Very respectfully
Your obedient Servant

Townsend Harris

To the Honourable Lewis Cass
Secretary of State
Washington.

Yedo December 31/60.

Townsend Harris

No: 53.

1 Enclosure

Received.

With

List of despatches sent by this Legation

List of despatches
addressed by this Legation to the State Department
during the year 1860.

Numbers	Dates.
No. 1	January 2d.
" 2	do. do
" 3	do 12th
" 4	do 16th
" 5	February 1st
" 6	do. 8th
" 7	do 14th
" 8	do 22d
" 9	do 27th.
" 10	March 10th
" 11	do. 31st
" 12	April 2d
" 13	do. do.
" 14	do 9th
" 15	do. 21st
" 16	May 15th
" 17	June 7th
" 18	do. 14th
" 19	July 2d
" 20	do. 2d
" 21	do 5th
" 22.	do. 11th

Numbers	Dates	
N: 23	July	16th
" 24	do.	24:
" 25	do.	27th
" 26	August	1st
" 27	do.	2d
" 28	do.	4th
" 29	do.	6th
" 30	do.	6th
" 31	do.	16th
" 32	do.	21st
" 33	do.	29th
" 34	September	13th
" 35	do.	14th
" 36	do.	21st
" 37	October	1st
" 38	do	1st
" 39	do.	6th
" 40	November	5th
" 41	do.	7th
" 42	do.	19th
" 43	do	do.
" 44	do.	do
" 45	do.	do.
" 46	do.	22d
" 47	do.	26
" 48	December	7

№ 49	December 19
" 50	do. 24
" 51	do. 27
" 52	do. 31
" 53	do 31.

Legation of the United States.
Yedo December 31. 1860.

Townsend Harris

Enclosure

with despatch N. 33.

N: 1.

List of despatches sent
this year.

Yedo December 31. 1860.

Rein 1. Apr. Mr Chubin

No 1.

Legation of the United States
Yedo, January 1st, 1861.

Sir,

I have the honor to transmit herewith, my account for salary for the quarter ending December 31st 1860, and to inform you, that I have drawn on the Department in the prescribed form for seven hundred twenty nine 50/100 Dollars, which draft is supported by the prescribed vouchers. No 1

I have the honor to be,
Very respectfully,
Your obedient Servant.

Townsend Harris

To the Honourable Lewis Cass
Secretary of State
Washington.

Enclosure

Legation of the United States
Yedo January 1. 1861.

Townsend Harris

No. 1.

With 1 Enclosure and
3 Vouchers.

Received,

With quarterly account for
Salary.

N:o 1.

Legation of the United States
Yedo. January. 1, 1861.

Sir

I have the honor to transmit herewith numbered 1. my accounts for salary, as Interpreter to this Legation for the quarter ending December 31.st 1860, and to inform you that, I have drawn on the Department in the prescribed form for Two hundred Forty three 9/100 dollar, which draft is supported by the prescribed vouchers.

I have the honor to be
Very respectfully
Your obedient Servant

/Signed/ H. J. C Heusken.

true copy. H. A. Noordhoek Hegt.
acting as H. N. M.s Consulate

The Honourable Lewis Cass.

Rein 2nd Apl. Mr Eliot

No. 1.

Legation of the United States
Yedo, January 1. 1861.

Sir,

I have the honor to transmit herewith numbered 1, my account for salary as Interpreter to this Legation for the quarter ending December 31st 1860, and to inform you, that I have drawn on the Department in the prescribed form for Two hundred Forty three 99/100 Dollars, which draft is supported by the prescribed vouchers

I have the honor to be
Very respectfully
Your obedient Servant
H. H. Heusken.

To the Honourable Lewis Cass
Secretary of State
Washington

Yedo January 1. 1860

H. B. M. Hawken.

No. 1.

1 Enclosure and 3 Vouchers

Rec.

With quarterly account for Salary.

Rec'd. Apr. 1. M. Clubin

No. 2.

Legation of the United States.
Yedo January 1. 1861.

Sir,

I have the honor to transmit herewith, numbered 1, my account for contingent Expenses for the quarter ending December 31st, 1860, showing a balance in my hands of Seven Hundred Fifteen 49/100 Dollars

I have the honor to be
Very respectfully
Your obedient Servant

Townsend Harris

To the Honorable Lewis Cass.
Secretary of State
Washington.

Yedo January 1. 1860.

Townsend Harris

No: 2.

With 1 Enclosure and
1 Voucher

Received

Will quarterly account for
contingent Expenses.

Re 11. Mar.

No. 3.

Legation of the United States in Japan
Yedo, January 22nd, 1861.

Sir,

It is my melancholy duty to inform You of the death of Mr Henry, C. J. Heusken, the able, efficient and faithful Interpreter of this Legation

On the night of the 15th instant, about 9 o' clock, Mr Heusken was returning home from the Russian Legation. He was attended by three mounted Officers and four footmen bearing lanterns; one of the mounted Officers preceded Mr Heusken and the other two followed close behind him. While proceeding in this manner the party was suddenly attacked on both sides; the horses of the Officers were struck and cut; the lanterns struck out and Mr Heusken wounded on both sides of his body; he put his horse into a gallop and rode about two hundred

Yards

The Honorable Lewis Cass
Secretary of State
Washington. D.C.

yards, when he called out to the Officers, that he was wounded and that he was dying, — and then fell from his horse. — The assassins seven in number instantly fled, and easily escaped in the dark streets.

Mr Heusken was brought to this Legation about half past 9 o' clock. — I immediately procured surgical aid from the Prussian and English Legations, and he received every possible assistance that skill and kindness could supply, but all was in vain, — his wounds were mortal, and he died at ½ past 12 o' clock on the morning of the 15th.

No 1 — I enclose herewith No 1, the report of Surgeon Lucius of the Prussian Legation.

I was immediately waited on by Oguri Bungo no kami, who expressed his horror at the tragic event, and condoled with me on my great loss, — He informed me that orders had been sent in all directions to have an extra police force sent in search of the murderers; — he added, that information of the murder had been sent to the Minister for Foreign affairs.

At 7 o' clock on the morning of the 16th, I was visited by Simme Boozen no Cami, Muragake Awadsi no Cami and

Oguri

Ogure Bungo no Cami, who came to me with a message of condolence from the Minister for Foreign affairs, with his assurance, that no exertions of the Government should be wanting to arrest and punish the perpetrators of this fearful crime, and tendering me any assistance I might desire

The funeral took place on the 18th. instant, and the cortège was formed as follows:

1st. Simme Boozen no Cami,
Muragaki Awadsi no Cami,
Ogure Bungo no Cami,
Takai Tamba no Cami,
Takigawa Harima no Cami,
each attended by a large train of followers and guards.

2nd. The American, English, French, Dutch and Prussian flags in mourning, carried by Prussian sailors and guarded by six Prussian Marines.

3d. The band of the Prussian Frigate "Arcona"

4th. Guard of Dutch and Prussian Marines

5th. The abbé Girard, Vicar Apostolique in Japan with Surgeon Lucinis.

6th. The Body with the American flag as a pall and supported by eight Dutch Marines.

7th. Mr. deWitt, Dutch Consul General and

Mr

Mr Harris as Chief Mourners.
8th Mr Alcock, Mr de Bellecourt and Count d'Eilenburg, the English, French and Prussian Ministers.
9th The Foreign Consuls.
10th Attachés of the Foreign Legations.
11th Officers from Dutch and Prussian men of war.

I made use of all the means at my command to pay due honor to the remains of a most faithful officer of the United States, and I only regret that my appliances were so limited.

Just before the procession started, Simme Boozen no Cami desired, that I would not attend the funeral, as he feared I might be attacked.— I answered, that I considered it as a sacred duty to attend, and that I should do so regardless of any danger, and I warned him, that if anything happened to me under such circumstances, that his Government would be held responsible. I informed my colleagues of this communication and they all resolved to accompany me.

No difficulty occurred in going to, or on returning from the Cemetery (which

is

is about one mile from the Legation) nor did I observe any marks of ill will.- A large crowd was attracted by the sound of the music, and by the unusual display, but all was quiet and orderly.

I received the kindest assistance on this melancholy occasion from Count d'Eulenburg, the Prussian Envoy, and from all the Members of his Legation, and I am particularly obliged to Mr Heine, for taking the general management of the funeral.

I am at a loss to assign any special motive, that could have influenced the assassins of Mr Heusken, — He was kind and amiable in his temper; he never used any violence towards the Japanese, and from speaking their language, he appeared to be a universal favorite. — I have long been informed, that there is a body of <u>bravoes</u> in this City, who make bloodshed their boast, and he, that has taken the most lives is considered as the Chief of the band. — <u>It is possible</u>, that some one of this gang may have desired to have the éclat of killing a foreigner, and Mr Heusken was selected as offering the fairest opportunity for a safe exploit of this kind, from his imprudence in being out at night.

<u>Or</u>

On my first arrival here, the authorities informed me, that the streets were very unsafe at night; that they never went out themselves, except in a case of necessity, and then they were always attended by a large train with many lanterns.

I have constantly warned Mr Heusken of the danger he was incurring, and prayed him not to expose himself in the manner he did.

For more than four months, he was in the habit of visiting the Prussian Legation, almost nightly, and would return home from 8 to 11 o' clock at night. I fear, that it was this long continued and regular exposure of himself to danger, that led to his untimely death.

I am suffering deeply from this sudden and awful catastrophe. - Mr Heusken was associated with me over five years, and he was the companion of my long solitude at Simoda.

Our relations were rather ~~that~~ those of father and Son, than Chief and employé.

I have the honor to be,
Very Respectfully,
Your obedient servant.
Townsend Harris

Yedo. Jany 22^ds. 1861.

Townsend Harris.

Minister Resident.

No 3.

1. Enclosure.

Received.

Relating to the murder
of Mr. Heusken, Interpreter
of the Legation.

Copy.

Report R Lucius MD on the death of Mr H Heusken.

On the 15th of January 1861 at 10½ PM. I was called to the American Legation, where I found Mr. H. Heusken, laying on the floor of his room, bathed in his blood; Several Japanese were around him trying to assist him as best they could.

His face was pale, his features collapsed, his eyes half open and broken, head and extremities were growing cold, the pulse wavering weak, hardly perceptible, - In the right hypochondria there was an open Yawning wound about six inches long, extending from the "linea axillaris" about one inch above the "spina ilei" beginning inward and upward towards the "linea alba" - the bowels of the "intestinum tenue" protruded in considerable quantity and were kept back by a Japanese Surgeon with his hands. - The wound had ceased to bleed, but the floor of the room and the clothes of the patient were saturated with blood. - The closer examination showed that the "intestinum tenue" was cut through three quarters of its diameter as far as to the mesenterium and that the contents of the bowels were effused in the cavum peritonei.

The state of the patient as ascertained by the first examination appeared to be extremely dangerous - There was a penetrating wound circa six inches long in the

right hypochondria", and a considerable interruption in the continuity of the bowels, the contents of which were effused in the "cavum peritonei". If that circumstance and the considerable injury of "peritoneum parietale et viscerale" gave a very unfavorable prognosis – the instantaneous danger became more imminent by the general collapsus of the patient, who had received the wound one hour and three quarters before, and who by judge from the appearance of his clothes and of the floor had lost an enormous quantity of blood.

Such assistance as was possible was rendered at once with the help of M. Wilson and of D. Meiberg who arrived afterwards.

The separated parts of the wounded bowels were united by a "sutura continua", the wound was cleaned, the protruding bowels protected against atmospherical influences by touching them slightly with oil, they were put back in their proper place and the external wound closed with 23 stitches –

The patient retained his full patience of mind and asked different questions about the state of his injury.

Towards the end of the operation he vomited, the weakness was increasing, some wine was given to him, the bloody clothes were removed and clean ones put on – After that he was put to bed with the greatest precaution – It was tried to raise the sinking temperature

ture of the skin by application of warming pans and rubbing with warm clothes. - Patient retained till his full presence of mind, became calmer and on his request more wine and afterward more water was given to him. - On being asked, he complained of great weakness and a feeling of heaviness in the abdomen - Great pain he did evidently not suffer.

After a few moments of repose, the patient asked to be raised up - the respiration up to the present moment very regular, although very weak, became suddenly rattling - the pulse was no longer perceptible; Continued efforts to raise his vanishing strength were in vain - the general collapsus passed imperceptibly into death - A few minutes after midnight he had ceased to live.

The Abbé Girard had rendered him religious consolation in his last hours.

The obduction

took place on the next morning, January the 16th at 11 o' clock A.M.

The corpse was extremely pale, the features were very much collapsed - the limbs had begun to assume the rigidity of death, but could still be bent without great difficulty -

On the left side of the body there was found another injury, consisting of a horizontal wound on the hind part of the upper arm, one inch above the "olecranon" - It was one and a quarter of an inch long, skin and integument were cut down to the Muscle, the latter had remained intact - At the same height and near the ninth intercostal space, there was a cut in the chest three quarters of an inch long out of which protruded some half torn muscular things and some fat.

The borders of the wound in the right "hychondris" seemed by the sutura" had remained in their places. It measured five inches and a half.

From the result of the above obductions, the following conclusion might be drawn:

That Mr Heusken was attacked from both sides nearly at the same time - The wound in the right hypochondris" seems to have been caused by a cut from a person in front and very near. - As Mr Heusken was on horseback and the attacking person

on foot, the wound apumed the direction from below and outward to upward and innerward — The injury of the bowels, which was near the upperend of the wound, where consequently the end of the weapon was — seems to indicate that this cut from the front apumed at the same time the character of a thrust, caused by the movement of the horse —

From the appearance of the wound on the left, it seems that the attack from that side was only partially successful — Probably the attacking person reached Mr Heusken only with the point of the weapon — This is indicated by the character of the wound on the back of the upperarm and the least wound at the same height as the former."

It seems probable papible that Mr Heusken tried to evade the blow from the left side and thereby exposed himself to the attack from the right —

The course of the events and the result of the above Abuction state the following facts.

1) That Mr H Heusken on the evening of the 18th January 1861 about 8 3/4 pm received by a sharp weapon one wound five and a half inches long in the right "hypochondrio", dividing the "peritoneum" to that same extent and a part of the bowels (in testinum tenue") to three quarters of its diameter — By another sharp weapon he received at or nearly at the same time one wound in the left part of the

left upperarm and another in the left side near the ninth intercostal space at the same height with the formerone

2 That the first wound in the right "hypochondria" was by itself mortal. "Peritoneum parietale et viscerale" were divided to a great extent, the bowels themselves cut to the greater part of the diameter, contents of the bowels had flown into the "Cavum peritonei" Syme says "in that kind of wounds, whenever the contents of the bowels are effused over the surface of the peritoneum, death is the invariable and in general very speedy result" (Princip of Surg. P 280.)

3/ Mr Heusken died in Consequence of his wounds about 3 hours and a quarter after having received them.

4 That the direct cause of his sudden death (causa directa lethalis) was the enormous loss of blood, which Mr Heusken suffered in a time of one hour and three quarters, when he was without Medical assistance

Yedo die 18te January 1861.

(signed) Dr Robert Lucius.

Written and translated by Dr R. Lucius with my assistance

Yedo Jan.y 18th 1861. (signed) J.J.M. Heine

Enclosure No 1.
with despatch No. 3.
dated Jany. 22nd. 1861.

Report of Surgeon Lucien
in the case of the late
Mr Heuken.

Re: U. States No 7

No: 4.

Legation of the United States.
Yedo, January 22nd, 1861.

Sir,

I have the honor to inform You, that I had an interview with the Minister for Foreign affairs yesterday, when I stated, that since the 1st month of August 1859, six attacks had been made on Foreigners, and that seven persons had been killed, and two more wounded; that up to this time no one had been punished or even arrested for these crimes; that it would be impossible to convince foreign Governments, that he was acting in good faith, or that he even desired the punishment of the Offenders. That this state of things could not continue, and that, unless some show of a desire to punish those criminals was exhibited, I greatly feared, that grave consequences might ensue. I urged him to take instant and efficient steps to bring all, or a part of those men, to condign punishment,

and

The Honorable Lewis Cass
Secretary of State
Washington, D.C.

and thereby prove to the world, that he was not a consenting party to those fearful crimes; I added, that this was the only means in his power to wipe off the stain, that now rested on the Japanese Government.

The Minister assured me, that all the means in the power of the Government should be employed to bring the murderers to justice, but it was not so easy a matter in Japan to arrest criminals; that years frequently elapsed, before they were enabled to make arrests. - The Minister then referred to the murder of the Regent in March last, and said, that the Government had not, as yet, been able to arrest all of the assassins.

I replied, that all he stated might be very true, but that, in my opinion, it would not be satisfactory to the various Treaty powers; I therefore repeated to him my belief, that the only means to avert serious complications was the punishment of the criminals referred to.

There is a strong clannish feeling in this Country among the followers of the Dimios, and a criminal is sure of protection, not only from his fellows, but also from the followers of those Dimios, who are in friendship with his

own

one, Chief. — Even the Government hesitates, in view of these feelings, and I do not think, it would attempt the arrest of a follower of the Prince of Caga, but would simply request him to order the arrest, and if he refused to comply, the Government would not dare to bring him to account for his refusal.

Thus, in this semi-civilized land in 1861, we find a state of things exactly analogous to the condition of Europe during the middle ages.

I have the honor to be

Very Respectfully

Your most obedient Servant

Townsend Harris

Yedo. January 22nd 1861.

Townsend Harris.

Minister Resident.

No. 4.

No. Enclosures. —

Received.

Relating to interview with Minister for Foreign affairs, requiring the punishment of murderers.

Re H. Mess. de Chiba

N: 5.

Legation of the United States in Japan,
Yedo, January 23rd. 1861.

Sir,

I have the honor to state, that the credit opened with the Bankers of the United States in London for the payment of the salary of the Interpreter of this Legation was made payable to the late Mr. H. C. J. Heusken.

As no drafts of mine or of the successor of Mr Heusken, drawn against that fund would be honored by the Bankers of the United States, I shall be without adequate means of paying his salary.

I shall use the balance of the funds for the contingent expenses of this Legation for the payment of the Interpreter's salary, but this sum will be exhausted long before I can hear from You on this subject.

I have to request Your early attention to this matter, and would respectfully suggest that

The Honorable Lewis Cass.
Secretary of State
Washington.

that the credit should be opened in favor of the Minister Resident of the United States in Japan, and not in the name of any individual.

Fortunately for me, Mr Portman left the "Niagara" at Kanagawa, and I was at once enabled to secure his assistance.

Mr Portman will remain with me long enough to enable both of us to judge of the expediency of making a permanent engagement.

I have the honor to be
Very Respectfully
Your most obedient Servant.

Townsend Harris

Yedo, January 23d, 1861.
Townsend Harris
Minister Resident.

No. 5.

No. enclosures.

Received.-

Relating to payment
of salary to Interpreter
of Legations.-

Rec'd. May.

No. 6.

Legation of the United States in Japan
Yedo, January 26th 1861.

Sir,

In my despatch No 17 of June 7th 1860, I had the honor to inform You, that I would cheerfully aid Count d' Eulenburg, the Prussian Envoy in making a Treaty with this Government.

Count d' Eulenburg arrived here on the 7th of September and I hastened to congratulate him on his arrival and to tender him my cordial coöperation in securing the object of his Mission; - and finding he had no competent Interpreter, I placed the valuable services of Mr Heusken of this Legation at his command.

The Count at the outset, found the Japanese entirely averse to making any more Treaties, and the negotiations were protracted for four months. - I did not fail to assist him with my advice, and also by direct application.

The Honorable Lewis Cass.
Secretary of State
Washington.

application to the Japanese Government, Yet notwithstanding all this, a direct refusal to treat was sent to him on the 1st of December.

I then took the matter in my own hands, and had two interviews with the Minister for Foreign affairs in relation to the Treaty, and I am happy to state, that I succeeded in procuring his consent to make a Treaty with Count d' Eulenburg.

The Minister assured me, that the consent of the Government to treat was a concession, made solely from their personal regard for me.

No 1 I enclose herewith No 1., Copy and translation of a letter from Count d' Eulenburg, expressive of his sense of the aid, I have given him.

The Prussian Treaty was signed on the 24th instant, and as soon as the Copies are completed, I shall forward them to the Department.

I have the honor to be,

Very Respectfully

Your most obedient Servant

Townsend Harris

Yedo. January 25th 1860.

Townsend Harris

Resident Minister

No. 6.

1 Enclosure.

Received.

Relating to aid rendered the Russian Envoy Count d'Eulenburg, resulting in the success of his mission. a treaty with Japan

Copy.

Yedo, le 25 Janvier 1864

Légation de Prusse.

Monsieur le Ministre Président

J'ai l'honneur de vous faire connaître que j'ai signé hier avec les plénipotentiaires Japonais, nommés à cet effet, un traité d'amitié de commerce et de navigation entre la Prusse et le Japon.

Vous avez été témoin des difficultés que j'ai rencontrées et qu'il m'a fallu combattre.

Je déclare franchement que je ne serais pas parvenu à les vaincre sans votre concours cordial et effectif.

Vous avez pris fait et cause pour moi non seulement comme représentant d'une puissance amie de la Prusse - mais en véritable ami l'intéressant personnellement à la réussite de ma mission.

Je m'empresse de porter ce fait à la connaissance de mon Gouvernement, mais je tiens avant tout, à ce que vous sachiez combien je suis sensible à toutes les preuves d'amitié que vous m'avez pas cessé de me donner pendant mon séjour plein d'émotions au Japon.

Il me reste encore une prière à vous faire - Le traité que je viens de signer n'entrera en vigueur que le 1er Janvier 1863. - Cependant les Ministres des Affaires Etrangères a Yedo m'ont pas mis par une dépêche en date du 13ème jour du 12me mois de la première année de Maundsm de ne pas capituler les Prussiens qui à tort ou à raison, résident de fait en ce moment au Japon. Conformément à cette promesse ces Prussiens auront le droit de se mettre jusqu'à la nomination de Consuls Nationaux sous la protection des Consuls étrangers - J'ai donc l'honneur de vous prier de vouloir bien instruire de cet état de choses Mrs. Vos Consuls de votre ressort, et j'aime à croire que ces Messieurs seront assez bons pour ne pas refuser la protection qu'un Sujet Prussien serait dans le cas de leur demander.

Veuillez agréer la nouvelle assurance de ma considération la plus distinguée

(signé) Comte d'Eulenburg

A

Monsieur Townsend Harris
Ministre Résident des Etats Unis
au
Japon.

a true copy
A. L. C. Portman

Translation.

Yedo, January 25, '61

Legation of Prussia

Sir,

I have the honor to inform You, that Yesterday I signed with Japanese plenipotentiaries, appointed for that purpose, a Treaty of Amity, Commerce and Navigation between Prussia and Japan.

You are aware of the difficulties encountered, and against which I had to contend.

I frankly declare, that I should not have succeeded in surmounting them, but for Your cordial and efficient cooperation.

Not only did You take my part as, the Agent and Chief of a power in Amity with Prussia, but as a true friend You interested Yourself personally in the success of my Mission.

I shall take the earliest opportunity to acquaint my Government with this fact, but I desire in the first place to state to You, how greatly I appreciate all the proofs of friendship, which You have constantly shown me during my eventful stay in Yedo.

I have another request to prefer. The Treaty recently signed is not to go into effect before the 1st January 1863. The Ministers of Foreign affairs at Yedo have promised me however by a letter, dated on the 8th day of the 12th month of the 1st Year of Manen, not to expel Prus-

siaus, who may now be residing in Japan. In accordance with the promise, such Prussians shall have the right, until the Prussian Consuls are appointed, to place themselves under the protection of the Dutch Consuls.

I have therefore the honor to request, that You be pleased to inform the Consuls in Your jurisdiction of these circumstances, and I trust, that those gentlemen will have the kindness not to refuse the protection, which Prussian subjects may have occasion to apply for to them.

Be pleased to accept the assurance of my most distinguished consideration.

(Signed) Count F' Eulenburg.

To
Townsend Harris Esq.
Minister Resident of the United States.
in Japan.

a true translation.
A. L. L. Portman.

Enclosure No 1.
with dispatch No 6.
dated January 26th 1861.

Copy and translation of a letter to H. Excellency the Prussian Envoy, announcing the arrival of his vessel, and asking the favor of his Majesty, a treaty with Japan.

Rec'd 15 days Mr Chilton

No 7. Legation of the United States
Yedo, February 1, 1861.

Sir,

I have the honor to transmit herewith copy and translation of the Treaty with Prussia, which was signed in this City on the 24th Ult°.

No mention is made in the Treaty of opening the Cities of Yedo and Osacca or the ports of Seecegata and Hiogo for the purposes of trade, but a very comprehensive favored nation clause will secure to Prussia all the rights enjoyed by the other Treaty Powers.

In all other respects the provisions of the Treaty are identical with that made with the United States.

I have the honor to be.
Very Respectfully
Your most obedient Servant.

Townsend Harris

The Honorable Lewis Cass
Secretary of State
Washington.

Yedo. February 1. 1864.
Townsend Harris.

No. 7.

1 Enclosure –

Received.

Transmitting Copy and Translation of the Treaty concluded between Prussia and Japan on the 24th Jan/7 1864

Copy.

Seine Königliche Hoheit der Regent Prinz von Preußen, im Namen Seiner Majestät des Königs von Preußen

und

Seine Majestät der Taikuhn von Japan,

von dem aufrichtigen Wunsche beseelt, freundschaftliche Beziehungen zwischen den beiden Reichen zu begründen, haben beschlossen, solche durch einen gegenseitig vortheilhaften und den Unterthanen der hohen vertragenden Mächte nützlichen Freundschafts und Handels Vertrag zu befestigen, und haben zu diesem Ende zu Ihren Bevollmächtigten ernannt, nämlich:

Seine Königliche Hoheit der Regent, Prinz von Preußen den Kammerherrn Friedrich Albrecht Grafen zu Eulenburg. Allerhöchst Ihren Adjutanten, wirklichen Gesandten und Bevollmächtigten Minister, Ritter des rothen Adler Ordens dritter Klasse mit der Schleife, Ritter des Johanniter Ordens, &c. &c.

und

Seine Majestät der Taikuhn von Japan

Muragaki Awadsi no kami

Takemoto Idsumo no kami

Kurokawa Satsiu.

welche, nachdem sie ihre Vollmachten sich mit getheilt, und solche in guter und gehöriger Form befunden haben, über nachstehenden Artikel übereingekommen sind.

Artikel 1.

Es soll ewiger Friede und beständige Freundschaft bestehen zwischen Seiner Majestät dem Könige von Preussen und Seiner Majestät dem Taikun von Japan, ihren Erben und Nachfolgern, sowie auch zwischen den beiderseitigen Unterthanen.

Artikel 2.

Seine Majestät der König von Preussen soll das Recht haben, wann er es für gut befindet, einen diplomatischen Agenten zu ernennen, welcher in der Stadt Yeddo seinen Wohnsitz nehmen wird.

Es soll ausserdem das Recht haben, für die dem Preussischen Handel zu öffnenden Häfen Consularbeamte zu ernennen.

Sowohl der von Seiner Majestät dem König von Preussen ernannte diplomatische Agent, als auch der General Consul sollen das Recht haben, frei und unbehindert in allen Theilen des Kaiserreichs Japan umherzureisen.

Seine Majestät der Taikun von Japan

kann einen diplomatischen Agenten beim Hofe von Berlin und Consularbeamte für die preußischen Häfen ernennen.

Der diplomatische Agent und der General-Consul Sr. Majestät sollen das Recht haben überall in Preußen ungehindert zu reisen.

Artikel 3.

Die Häfen und Städte von Hakodate, Kanagawa und Nagasaki sollen von dem Tage an, wo dieser Vertrag in Kraft tritt, für die Unterthanen und den Handel Preußens eröffnet sein.

In den vorgenannten Häfen und Städten sollen preußische Unterthanen dauernd wohnen können, sie sollen das Recht haben, daselbst Grundstücke zu miethen und Häuser zu kaufen, und sie sollen Wohnungen und Magazine daselbst erbauen dürfen.

Aber Befestigungen oder Festungswerke sollen sie, unter dem Vorwande der Erbauung von Wohnungen und Magazinen, nicht errichten dürfen, und die competenten Japanischen Behörden sollen, um sich der gehörigen Ausführung dieser Bestimmung zu versichern, das Recht haben, von Zeit zu Zeit die Arbeiten an jedem Bauwerke zu besichtigen, welches errichtet, verändert oder ausgebessert wird.

Der Platz, welchen preußische Unterthanen be-

wohnen, und auf welchen sie ihre Gebäude errichten sollen, wird von den französischen Consulatbeamten im Einvernehmen mit den competenten Japanischen Ortsbehörden angewiesen werden; auf gleiche Art sollen die Gränzen bestimmt werden, können sich die französische Consulatbeamte und die Japanische Behörden in diesen Bezeichnungen nicht einigen, so soll die Frage dem diplomatischen Agenten und der Japanischen Regierung unterbreitet werden.

Um die Orte, wo französische Unterthanen sich niederlassen werden, soll von den Japanern wie der Mauer nach Zaun oder Hecke, nach irgend ein anderen Abschluß errichtet werden, welcher der freien Ein und Ausgang dieser Orte beschränken könnte.

Den französischen Unterthanen soll es gestattet sein sich innerhalb folgender Grenzen frei zu bewegen.

Von Kanagawa bis zum Fluß Logo, welcher sich zwischen Kawasaki und Sinagawa in den Meerbusen von Yedo ergießt, und in jeder andere Richtung, bis zu einer Entfernung von 10 ri.

Von Hakodati in jeder Richtung bis zu einer Entfernung von 10 ri.

Diese Entfernungen sollen zu Lande gemessen

werden von Yokohama oder Kanagawa gerade bis vor-
genannten Häfen an.

Ein Zoll kommt gleich

12456 Fuss französisch

4275 Yards englisch

3910 mètres Französisch.

Von Nagasaki aus sollen sich die französischen Unterthanen überall in das benachbarte Kaiserliche Gebiet begeben können.-

Artikel 4.

Die in Japan sich aufhaltenden Franzosen sollen das Recht freier Religions-Uebung haben. Zu diesem Behufe werden sie auf dem zu ihrer Niederlassung bestimmten Terrain Gebäude zur Ausübung ihrer Religions Gebräuche errichten können.

Artikel 5.

Alle Streitigkeiten, welche sich in Bezug auf Personen oder Eigenthum zwischen in Japan sich aufhaltenden Franzosen ereignen sollten, werden der Entscheidung der Französischen in Japan constituirten Behörde unterworfen werden.

Hat ein Franzose einen Klage oder Beschwerde gegen einen Japaner, so entscheidet die Japanische Behörde.

Hat ein Japaner gegen einen Klage oder Beschwerde gegen einen Franzosen, so entscheidet die Französische Behörde.

Wenn ein Japaner nicht bezahlen sollte, was er

einem Franzosen schuldig ist, oder wenn er sich betrü-
gerischer Weise verborgen halten sollte, so werden die
angestellten Japanischen Behörde Alles, was in ihrer Macht
steht thun, um ihn vor Gericht zu stellen, und die
Bezahlung der Schuld von ihm zu erlangen. Und wenn
ein Franzose sich betrügerischer Weise verborgen und sein
Schulden an Japaner nicht bezahlen sollte, so werden die
Französischen Behörde Alles was in ihrer Macht steht thun,
um den Schuldigen vor Gericht zu stellen, und zur
Bezahlung der Schuld anzuhalten.

Weder die Französischen, noch die Japanischen Behörden
sollen für die Bezahlung von Schulden verantwortlich
sein, welche von Französischen oder Japanischen Unter-
thanen contrahirt worden sind.

Artikel 6.

Französische Unterthanen, welche ein Verbrechen
gegen Japanische Unterthanen oder gegen Angehörige
einer anderen Nation begehen sollten, sollen vor den
Französischen Consularbeamten gestellt, und nach Fran-
zösischen Gesetzen bestraft werden.

Japanische Unterthanen, welche sich einer Ver-
brecherischen Handlung gegen Französische Unterthanen
schuldig machen, sollen vor die Japanischen Behörden ge-
stellt und nach Japanischen Gesetzen bestraft werden

Artikel 7.

Alle Ansprüche auf Geldstrafen oder Confiscä-
tionen für Zuwiderhandlungen gegen diesen Vertrag

2

oder gegen das beigefügte Handels Regulativ sollen bei den französischen Consularbeamten zur Entscheidung gebracht werden - die Geldstrafen oder Confiscationen, welche von diesen letzteren ausgesprochen werden, sollen der Japanischen Regierung zufallen.

Artikel 8.

In allen dem Handel zu öffnenden Häfen Japans, soll es französischen Unterthanen freistehen, aus dem Gebiete Frankreichs, oder aus fremden Häfen alle Arten von Waaren, die nicht contrabande sind einzuführen und zu verkaufen, sowie zu kaufen, und nach allen diesen Häfen oder nach andern fremden Häfen auszuführen - Sie sollen nur die Zölle bezahlen, welche in dem, dem gegenwärtigen Vertrage beigefügten Tarife verzeichnet sind, und frei von allen sonstigen Abgaben sein.

Französische Unterthanen sollen alle Arten von Artikeln von den Japanern kaufen und an dieselben verkaufen dürfen, und zwar ohne Dazwischenkunft eines Japanischen Beamten, weder beim Kaufe, noch beim Verkaufe, noch bei der Bezahlung oder Empfang wegen des Kaufpreises.

Allen Japanern soll es erlaubt sein, alle Arten von Artikeln von französischen Unterthanen zu kaufen, und was sie gekauft haben, untereinander zu behalten und zu benützen, oder wieder zu verkaufen.

Artikel 9.

Die Japanische Regierung wird ab nicht verhindern, dass Franzosen, welche sich in Japan niederlassen, Japaner in Dienst nehmen, und zu allen Beschäftigungen verwenden, welche die Gesetze nicht verbieten.

Artikel 10.

Das dem gegenwärtigen Vertrage beigefügte Handels Regulativ soll als ein integrirender Theil dieses Vertrages, und deshalb als bindend für die beiden contrahirenden ~~Parteien~~ Theile angesehen werden.

Der französische Diplomatische Agent in Japan soll das Recht haben, in Gemeinschaft und Uebereinstimmung mit denjenigen Beamten, welche von der Japanischen Regierung zu diesem Zwecke bezeichnet werden mögten, für alle den Handel öffnenden Häfen diejenigen Reglements zu erlassen, welche erforderlich und geeignet sind, die Bestimmungen des beigefügten Handels Regulativ's in Ausführung zu bringen.

Artikel 11.

Die Japanischen Behörde werden in jedem Hafen solche Maßregeln treffen, wie sie ihnen angemessen scheinen werden, um den Schmuggel und der Contrabande vorzubeugen.

Artikel 12.

Wenn ein französisches Schiff bei einem offenen Hafen Japans anlangt, soll es ihm freistehen einen Lootsen anzunehmen, der es in den Hafen führt. Wenn

so, soll es, wann es alle gesetzlichen Gebühren und Abgaben entrichtet hat, und zur Abreise fertig ist, einen Lootsen annehmen können, um es aus dem Hafen hinauszuführen.

Artikel 13.

Französische Kaufleute sollen, wann sie Waaren in einen offenen Hafen Japans eingeführt und die darauf haftenden Zölle entrichtet haben, berechtigt sein, von der Japanischen Zollbehörde ein Certifikat über die geschehene Entrichtung dieser Zölle zu verlangen, und auf Grund dieses Certifikats soll es ihnen freistehen, dieselben Waaren wieder aus und in einen andern offenen Hafen Japans einzuführen, ohne dass sie nöthig hätten irgendwelche weitern Zölle davon zu entrichten.

Artikel 14.

Alle von Französischen Unterthanen in einen offenen Hafen Japans eingeführten Waaren, von welchen die in diesem Vertrage festgesetzten Zölle entrichtet worden sind, sollen von den Japanesen nach allen Theilen des Kaiserreichs versandt werden können, ohne dass davon irgend eine Abgabe oder Transitzoll, welcher Namen dieselben auch haben möchten, gezahlt zu werden braucht.

Artikel 15.

Alle fremden Münzen sollen in Japan Cours haben, und sowohl gelten als ein gleiches Gewicht Japanischer

Münzen derselben Gattung.

Preußen und Japaner können sich bei Zahlungen die sie sich gegenseitig zu machen haben nach Belieben fremder oder Japanischer Münzen bedienen.

Münzen aller Art, mit Ausnahme von Japanischen Kupfermünzen und fremdes ungemünztes Gold und Silber können aus Japan ausgeführt werden.

Artikel 16.

Wenn die Japanischen Zollbeamten mit dem Werthe, welcher von Kaufleute für einige ihrer Waaren angegeben worden sollte nicht einverstanden sind, so soll es denselben freistehen, diese Waaren selbst zu taxiren; und sich zu erbieten sie zu dem von ihnen festgesetzten Taxwerthe zu kaufen.

Sollte der Eigenthümer sich weigern, auf dies Anerbieten einzugehen, so soll er den Zoll von dem Werthe zahlen, wie die Japanischen Zollbeamten ihn taxirt haben. Im Falle der Annahme des Anerbietens aber, soll ihm die offerirte Werthsumme sofort und ohne Abzug von Rabatt oder Tara baar gezahlt werden.

Artikel 17.

Wenn ein Preußisches Schiff Schiffbruch leidet, oder an den Küsten des Kaiserreichs Japan strandet, oder wenn es gezwungen sein sollte, Zuflucht in einem

Japan innerhalb des Gebiets des Taikuhn von Japan zu suchen, so sollen die competenten Japanischen Behörden sie davon setzen, dem Schiffe allen möglichen Beistand leisten, die Personen an Bord des Schiffes sollen wohlwollend behandelt und wenn nöthig, mit Mitteln versehen werden, um sich nach dem Sitze des nächsten französischen Consulats zu begeben.

Artikel 18.

Provisionen aller Art für französische Kriegs-Schiffe sollen zu Kanagawa, Hakodate und Nagasaki ausgeschifft, und in Magazine unter der Bewachung französischer Beamter niedergelegt werden können, ohne daß Zölle davon entrichtet zu werden brauchen. Wenn solche Provisionen aber an Japaner oder Fremden verkauft werden, so sollen sie sogleich an die Japanischen Behörden den Zoll entrichten, der auf dieselbe anwendbar ist.

Artikel 19.

Es wird ausdrücklich festgesetzt, daß die Königlich französische Regierung und ihre Unterthanen von dem Tage an, an welchem der gegenwärtige Vertrag in Kraft tritt, ohne Weiteres alle Rechte, Privilegien und Vortheile genießen sollen, welche von Seiner Majestät dem Taikuhn von Japan an die Regierungen und Unterthanen irgend einer anderen Macht gewährt worden sind, oder

in Zukunft gewährt werden sollten.

Artikel 20.

Wenn ist übereingekommen dass die seit vorstehenden Zeile vom ersten Juli 1872 an, die Revision dieses Vertrages beantragen können um solche Aenderungen oder Verbesserungen daran vorzunehmen, welche die Erfahrung als nothwendig herausgestellt haben sollte. - Ein solcher Antrag muss jedoch mindestens ein Jahr zuvor angekündigt werden.

Artikel 21.

Alle amtlichen Mittheilungen des Preussischen diplomatischen Agenten oder der Consulatbeamten an die Japanischen Behörden werden in deutscher Sprache geschrieben werden. Um jedoch die Geschäftsführung möglichst zu erleichtern, sollen diese Mittheilungen, während fünf Jahren von dem Zeitpunkte an, wo dieser Vertrag in Wirksamkeit treten wird, von einer Uebersetzung ins Holländische oder Japanische begleitet sein.

Artikel 22.

Der gegenwärtige Vertrag ist nämlich in Deutscher, Japanischer und Holländischer Sprache ausgefertigt. Alle diese Ausfertigungen haben denselben Sinn und dieselbe Bedeutung, aber die Holländische soll als die Originalsprache des Vertrags angesehen werden, dergestalt, dass, wenn

eine verschiedene Auslegung des Deutschen und Japanischen Textes irgendwo eintreten, die Holländische Ausfertigung entscheidend sein soll.

Artikel 23.

Der gegenwärtige Vertrag soll von Seiner Majestät dem Könige von Preußen und von Seiner Majestät dem Taikuhn von Japan unterschrieben und gesiegelt ratifiziert werden, und sollen die Ratifikationen in Jedo ausgewechselt werden.

Dieser Vertrag tritt am 6ten Januar 1863 in Wirksamkeit.

Zu Urkund haben die respektiven Bevollmächtigten diesen Vertrag unterzeichnet und ihre Siegel beigedrückt.

So geschehen zu Jedo den vierundzwanzigsten Januar im Jahre unsers Herrn tausend achthundert und dreiundsechzig oder am vierzehnten Tage des zwölften Monats des vierten Jahres von Maunen der Japanischen Zeitrechnung.

L.S. Gezeichnet: Graf zu Eulenburg
Muragaki awatsi no kami
Takemoto Osumi no kami
Kurokawa Satsiu.

Bestimmungen
unter welchen der Handel Frankreichs in Japan getrieben werden soll.

Bestimmung 1.

Innerhalb Achtundvierzig (48) Stunden (Sonntage ausgenommen) nach der Ankunft eines französischen Schiffes in einem Japanischen Hafen soll der Kapitain oder Commandant den Japanischen Zollbehörden einen Empfangsschein des französischen Consuls vorzeigen, aus welchem hervorgeht, dass er alle Schiffspapiere, Connoissamentalist etc auf dem französischen Consulate niedergelegt hat, und er soll dann sein Schiff einklarirun durch Uebergabe eines Verzeichnis, welches den Namen des Schiffes angiebt, und den des Hafens, von welchem es kommt, seinen Tonnengehalt, den Namen seines Kapitains oder Commandanten, die Namen der Passagiere (wenn es deren giebt), und die Zahl der Schiffsmannschaft. Dieses Verzeichnis muss vom Kapitain oder Commandanten als eine wahrhafte Angabe bescheinigt und unterzeichnet werden; zugleicher Zeit soll er ein schriftliches Manifest seiner Ladung niederlegen, welches die Zeichen und Nummern der Frachtstücke und ihren Inhalt angiebt, so wie sie in seinem Connoissamente bezeichnet sind, nebst den Namen der Person oder Personen, an welche sie consignirt sind. Eine

Liste der Schiffs Vorräthe soll dem Manifest hinzugefügt werden.

Der Capitain oder Commandant soll das Manifest als eine zuverlässige Angabe der ganzen Ladung und aller Vorräthe an Bord bescheinigen, und dies mit seinem Namen unterzeichnen.

Wird irgend ein Irrthum in dem Manifest entdeckt, so darf derselbe innerhalb Vierundzwanzig (24) Stunden (Sonntage ausgenommen) ohne Zahlung einer Gebühr berichtigt werden, aber für jede Aenderung oder spätere Eintragung in das Manifest nach jenem Zeitraum, soll eine Gebühr von Fünfzehn (15) Dollars bezahlt werden. alle in das Manifest nicht eingetragenen Güter sollen doppelten Zoll entrichten wenn hingelandet werden.

Jeder Capitain oder Commandant, der es versäumen sollte, sein Schiff bei dem Japanischen Zollamte binnen der durch diese Bestimmung festgesetzten Zeit einzuklariren, soll eine Buße von sechzig (60) Dollars für jeden Tag entrichten, an welchem er die Einklarirung seines Schiffes versäumt.-

Bestimmung 11.

Die Japanische Regierung soll das Recht haben, Zollbeamte an Bord eines jeden Schiffes zu in ihren Häfen zu setzen, Kriegsschiffe ausgenommen. Die Zollbeamten sollen mit Höflichkeit behandelt werden, und ein geziemendes Unterkommen erhalten wie das Schiff es bietet.

Keine Güter sollen zwischen Sonnenuntergang

und Sonnenaufgang von einem Schiffe abgeladen werden, ausser auf besondere Erlaubniss der Zollbehörden, und es dürfen die Luken und alle übrigen Eingänge zu dem Theile des Schiffes, wo die Ladung verstaut ist, von Sonnenuntergang und Sonnenaufgang durch Siegel, Schlösser oder andern Verschluss geliefert werden, und wenn irgend jemand, einen geschehenen Eingang wissend, oder irgend ein Siegel Schloss ohne gehörige Erlaubniss oder sonstigen von den Japanischen Zollbeamten angelegten Verschluss erbrechen oder abnehmen sollte, so soll jeder, der sich so vergeht, für jede Uebertretung eine Busse von Sechzig (60) Dollars zahlen.

Güter, die von einem Schiffe vor es gelöscht, sei es zu löschen versucht werden, ohne dass sie beim Japanischen Zollamte, wie nachfolgend bestimmt, gehörig angegeben sind, sollen der Beschlagnahme und Confiscation unterliegen.

Waaren Colli, welche mit der Absicht versteckt sind, die Zollannahme von Japan zu umgehen, liegen, indem sie Artikel von Werth verbergen, welche in der Faktura nicht aufgeführt sind, sollen der Confiscation verfallen sein.

Sollte ein fremdes Schiff in irgend einem der nicht geöffneten Häfen von Japan Güter einschmuggeln oder einzuschmuggeln versuchen, so verfallen alle solche Güter an die Japanische Re-

gierung, und das Schiff soll für jedes bewaffnete Bergehen eine Buße von fünftausend (1000) Dollars zahlen.

Fahrzeuge, welche der Ausbesserung bedürftig sind, dürfen zu diesem Zwecke ihre Ladung landen, ohne Zoll zu bezahlen - alle so gelandeten Güter sollen in Verwahrung der Japanischen Behörden bleiben, und alle gemachten Forderungen für Aufbewahrung, Arbeit und Aufsicht sollen dafür bezahlt werden.

Wird indessen ein Theil solcher Ladung verkauft, so sollen für diesen Theil die vorgeschriebenen Zölle entrichtet werden. Waaren können auf ein anderes Schiff im nämlichen Hafen umgeladen werden, ohne Zoll zu zahlen, aber das Umladen muß stets unter Aufsicht von Japanischen Beamten vor sich gehen, und nachdem der Zollbehörde hinlänglicher Beweis von der Unvermeidlichkeit der Operation gegeben ist, sowie auch mit einem zu dem Zwecke von dieser Behörde ausgestellten Erlaubnißschein.

Da die Einfuhr von Opium verboten ist, so darf, falls ein preußisches Schiff in Handelsgeschäften nach Japan kommt, und ein Gewicht von mehr als drei (3) Kattie Opium an Bord hat, der Umstand von den Japanischen Behörde mit Beschlag belegt und vernichtet werden; und jede

Person oder alle Personen, die Opium einschmuggeln oder einzuschmuggeln versuchen, sollen in eine Busse von fünfzehn (15) Dollars verfallen sein, für jedes Kattie Opium, welches sie einschmuggeln oder einzuschmuggeln versuchen.

Bestimmung III.

Der Eigenthümer oder der Consignatair von Gütern welcher sie zu landen wünscht, soll eine Deklaration derselben bei dem Ningpoo Zoll-amte eingeben. Die Deklaration soll schriftlich sein und angeben, den Namen der Person welche die Deklaration macht, den Namen des Schiffes auf welchem die Waaren eingeführt wurden, die Zeichen, Nummern Colli und deren Inhalt, mit dem Werthe jedes Colli besonders in einem Betrage ausgeworfen, und am Ende der Deklaration soll der Gesammtwerth aller in der Deklaration verzeichneten Güter angegeben werden.

Auf jeder Deklaration soll der Eigenthümer oder Consignatair schriftlich versichern dass die so übergebene Deklaration den wirklichen Preis der Güter angiebt, und dass nichts zum Nachtheil des Ningpooschen Zolls verheimlicht worden ist, und unter solches Certifikat soll der Eigenthümer oder Consignatair seinen Namen unterschrift setzen.

Die Original Faktur oder Fakturen der so

deklarirten Güter sollen den Zollbeförden vorgelegt werden, und in deren Besitz verbleiben, bis sie die deklarirten Güter untersucht haben.

Die Begamtten Beamten dürfen einzig die deklarirten Colli untersuchen und zu diesem Zwecke auf das Zollamt bringen; es muss aber solche Untersuchung ohne Kosten für den Empfänger und ohne Beschädigung der Waaren vor sich gehen, und nach geschehener Untersuchung sollen die Begamten die Güter in ihrem vorigen Zustand in die Colli wieder hineinthun (soweit dies ausführbar ist) und die Untersuchung soll ohne ungerechtfertigten Verzug vor sich gehen.

Wenn ein Eigenthümer oder Importeur entdeckt, dass seine Güter auf der Reise Personen gelitten haben, ehe sie ihm überliefert worden sind, kann er die Zollbeförden von solcher Beschädigung unterrichten, und er kann die beschädigten Güter von zwei oder mehr compétenten und unparteiischen Personen schätzen lassen; diese sollen nach gehöriger Untersuchung eine Bescheinigung ausstellen, welche den Schadensbetrag von einzelnen Colli gewissenhaft angiebt, indem es dieselbe nach Marke und Nummer beschreibt, welches Certificat sodann Interessenten in Gegenwart der Zollbeförden unter-

schrieben werden soll, und der Exporteur kann das Certifikat seiner Deklaration beifügen und einen entsprechenden Abzug machen.

Dies soll jedoch die Zollbehörden nicht verhindern, die Güter in der Weise zu schätzen die im Artikel 16 des Vertrages, dem diese Bestimmungen angefügt sind, vorgesehen ist.

Nach Entrichtung der Zölle soll der Eigenthümer einen Erlaubnißschein erhalten, welcher die Uebergabe der Güter an ihn gestattet, mögen dieselben sich auf den Zollämtern oder an Bord des Schiffes befinden.

Alle zur Ausfuhr bestimmten Güter sollen, bevor sie an Bord gebracht werden, auf den vorerwähnten Zollämtern deklarirt werden, die Deklaration soll schriftlich sein, und den Namen des Schiffes, worin die Güter aufgeführt werden sollen, mit den Zeichen und Nummern der Colli, und die Menge, die Beschaffenheit und den Werth ihres Inhalts angeben.

Der Exporteur muß schriftlich bescheinigen, daß seine Deklaration eine wahre Angabe aller darin enthaltenen Güter ist, und soll dies mit seinem Namen unterzeichnen.

Güter die zum Zwecke der Ausfuhr an Bord gebracht werden, ohne sie auf den Zollämtern anzugeben sind, sowie alle Colli, welche verbotene

Gegenstände enthalten, sollen der Portugiesischen Regierung verfallen sein.

Provisions zum Unterhalt der Schiffe, ihrer Mannschaften und Passagiere, sowie Kleidung u.s.w. von Passagieren brauchen nicht beim Zollamte angegeben zu werden.

Halten die Portugiesischen Zollbeamten ein Colli für verdächtig, so können sie dasselbe in Beschlag nehmen; müssen aber den französischen Consular-beamten davon Anzeige machen.

Die Güter, welche nach dem Ausspruche der französischen Consularbeamten der Confiscation verfallen sind, sollen alsbald den Portugiesischen Behörden ausgeliefert werden, und der Betrag der Geldstrafen welche die französischen Consularbeamten erkannt haben, soll durch dieselben sogleich eingezogen und an die Portugiesischen Behörden gezahlt werden.

Bestimmung IV.

Schiffe, die auszuklariren wünschen müssen vierundzwanzig (24) Stunden zuvor davon bei dem Zollamte Anzeige machen, und nach dem Ablaufe dieser Zeit sollen sie zur Ausklarirung berechtigt sein. Wird ihnen solche verweigert, so haben die Zollbeamten sofort dem Capitain oder Consignatair des Schiffes die Gründe anzugeben weshalb sie die Ausklarirung verweigern, und die nämliche Anzeige haben sie auf den französischen

Consul zu machen.

Französische Segelschiffe brauchen beim Zollamte weder ein noch auszuklarieren, noch sollen sie von den genuesischen Zoll oder Polizeibeamten besucht werden.

Segelschiffe, welche die französische Briefpost mit sich führen, dürfen am nämlichen Tage ein- und auslavieren, und sollen kein Manifest zu machen brauchen, ausser für solche Passagiere und Güter, die in Genua abgesetzt werden sollen. Solche Segelschiffe sollen jedoch in allen Fällen bei dem Zollamte ein- und ausklarieren.

Wallfischfahrer, die zur Vergrossierung ein kommen, sowie in Not befindliche Schiffe sollen nicht nötig haben ein Manifest ihrer Ladung zu machen, wenn sie aber nachträglich Handel zu treiben wünschen, sollen sie dann ein Manifest niederlegen, wie es die Bestimmung I vorschreibt.

Wo nur immer in diesen Bestimmungen oder im Vertrage, denen sie angehängt sind, das Wort Schiff vorkommt, soll ihm die Bedeutung beigelegt werden von Schiff, Barke, Brigg, Schooner, Schaluppe oder Segelboot.

Bestimmung V

Jemand, der mit der Absicht, die Zollgesetze zu hintergehen, eine falsche Deklaration oder Bescheinigung unterzeichnet, soll für jedes Vergehen eine Busse von einhundert

und fünf und zwanzig (125) Dollars zu bezahlen.

Bestimmung VI.

Keine Tonnengelder sollen in den Japanischen Häfen von fremdischen Schiffen erhoben werden, aber die folgenden Gebühren sollen an die Japanischen Zollbehörden bezahlt werden.

Für das Einklariren eines Schiffes
fünfzehn (15) Dollars.

Für das Ausklariren eines Schiffes
sieben (7) Dollars.

Für jeden Colombinischein
1 einundeinhalben (1½) Dollars

Für jeden Gesundheitspass ein und einhalben (1½) Dollars; Für jedes andere Dokument
ein und einhalben (1½) Dollars.

Bestimmung VII.

Von allen in Japan gelandeten Güter sollen an die Japanische Regierung Zölle entrichtet werden nach folgenden Tarif. -

Klasse 1.

Alle Artikel in dieser Klasse sollen zollfrei sein

Gold und Silber gemünzt oder ungemünzt.

Kleidungstücke in Gebrauch.

Hausgeräthe und gebrauchte Güter, welche nicht zum Verkauf bestimmt, sondern Eigenthum von Personen sind, die sich in Japan niederlassen wollen. - Hausrath, Bücher und Cou-

sumtions-Gegenstände für französische Saaten in Savoyen. - Sollten diese drei Artikel verkauft werden, so sollen die festgesetzten Zölle davon entrichtet werden.

Klasse 2.

Ein Zoll von (5) fünf procent soll von den folgenden Gegenständen erhoben werden.

Alle Gegenstände, welche zum Zwecke des Bauens, der Tatakalung, Ausbesserung oder Ausrüstung von Schiffen gebraucht werden.

Alles Geräthe zum Wallfischfang.

alle Sorten gesalzener Fleischwaaren.

Brod und Brodstoffe.

Lebende Thiere aller Art.

Steinkohlen

Bauholz zum bauen von Häusern

Reis.

Pottasche.

Dampfmaschinen.

Zink.

Blei

Zinn.

Rosshaare.

Alle leinenen, baumwollenen und wollenen Stoffe.

Klasse 3.

Ein Zoll von (35) fünfunddreißig procent.

soll von allen herausgehenden Getränken bezahlt werden, seien sie durch Destillation, Gährung oder auf andere Weise bereitet.

Klasse 4.

Alle in den vorstehenden Klassen nicht genannten Güter sollen einen Einfuhrzoll von (20) Zwanzig procent bezahlen.

Kriegsmunition darf nur an die Japanische Regierung und an Fremde verkauft werden.

Bestimmung VIII.

Mit Ausnahme von goldenen und silbernen Münzen und Kupfer in Barren sollen alle Japanischen Produkte, welche als Ladung ausgeführt werden, einen Ausgangszoll von (5) fünf procent bezahlen.

Die Japanische Regierung wird von Zeit zu Zeit in öffentlicher Auktion den Ueberschuß von Kupfer, der produzirt werden sollte, verkaufen.

Reis und Weizen Japanischen Ursprungs darf nicht als Ladung aus Japan ausgeführt werden, aber Französische Unterthanen, welche in Japan wohnen und Französische Kriegsschiffe, für ihre Mannschaft und ihr Bagage sollen mit hinreichenden Vorräthe davon versehen werden.

Bestimmung IX

Fünf Jahre, nachdem dieser Vertrag in Kraft

getreten ist, sollen die Ein und Ausfuhrzölle auf
neue Basis von Unterhandlungen unterworfen werden, falls die
französische oder die Japanische Regierung solches
wünscht. Sollte aber vor Ablauf dieses Zeitraums
die Japanische Regierung mit der Regierung
einer andern Nation zu einer solchen Basis
schreiten, so wird die französische Regierung, auf
Wunsch der Japanischen, daran Theil nehmen.

Yokohama: Graf zu Eulenburg.
Muragaki Awadi no kami
Takemoto Idzumi no kami
Kurakawa Satsiu.

(A true Copy.)
A. L. C. Portman.

Treaty.

between Prussia and Japan.

His Royal Highness the Regent, Prince of Prussia in the name of His Majesty the King of Prussia. -

and

His Majesty the Tycoon of Japan.

Sincerely desiring to establish friendly relations between the two Countries on lasting foundations, have resolved to do so by concluding a Treaty of Amity and Commerce to the mutual advantage and benefit of the Subjects of the high Contracting Powers; they have appointed for this purpose as their Plenipotentiaries, that is to say:

His Royal Highness the Prince Regent of Prussia, the Chamberlain Friedrich Albert - Count d' Eulenburg, his Envoy Extraordinary and Minister Plenipotentiary - Knight of the Order of the red Eagle third class, Knight of the Order of. Johanniter, &c.

and.

His Majesty the Tycoon of Japan,
Muragaki Awadsi no Kami
Takemoto Dsusio no Kami
Kurokawa Satsiu.

who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon the following Articles.

Article I

There shall henceforth be perpetual peace and friendship between His Majesty the King of Prussia, and His Majesty the Tycoon of Japan, their heirs and successors, and also between their subjects respectively.

Article 2.

His Majesty the King of Prussia shall have the right, whenever he pleases, to appoint a Diplomatic Agent to reside in the City of Yedo.

He shall also have the right to appoint Consular Officers at any of the ports to be opened to Prussian trade.

The Diplomatic Agent appointed by His Majesty the King of Prussia and also the Consul General shall have the right to travel freely and without restriction in all parts of the Empire of Japan.

His Majesty the Tycoon of Japan may appoint a Diplomatic Agent at the Court of Berlin and Consular Officers at the Prussian ports.

The Diplomatic Agent and the Consul General of Japan shall have the right to travel freely in all parts of Prussia.

Article 3.

The towns and ports of Hakodate, Kanagawa

and

and Nagasaki shall be opened to Prussian Commerce from the day this Treaty goes into effect.

At the towns and ports beforementioned Prussian subjects may permanently reside; they shall have the right to lease ground and to purchase houses, and also be allowed to build dwelling and Warehouses.

But they shall not, under pretence of building dwelling and Warehouses, be allowed to erect fortifications or fortified works, and competent Japanese officers, in order to secure the faithful observance of this stipulation shall have the right from time to time to inspect each construction of buildings, in course of erection, alteration or improvement.

The place where Prussian Subjects may reside and erect buildings shall be assigned to them by the Prussian Consular officers in concurrence with the proper Japanese Officials; in like manner shall the Port Regulations be established. In case of disagreement between the Prussian Consular Officers and the Japanese Officers on the subject of these arrangements, the matter shall be submitted for settlement to the Diplomatic Agent and the Japanese Government.

No wall, fence or gate, or any other obstruction to prevent free ingress and egress to the place settled by Prussian Subjects shall be erected by the Japanese.

Prussian Subjects shall be allowed to go where they

please within the following limits:

From Kanagawa to the river Logo, emptying into the Bay of Yedo between Kawasaki and Sinagawa and in every other direction to a distance of 10 ri

From Hakodate 10 ri in every direction

These distances shall be measured by land from the Goyoshio or Townhall of each of the abovementioned ports.

A ri is equal to 12456. Prussian feet.
4275 English Yards
3910 Frenchmeters.

Prussian Subjects in Nagasaki shall be allowed to go into any part of the Imperial domain in its vicinity.

Article 4.

Prussians residing in Japan shall be free in the exercise of their religion. They shall therefore be allowed to erect buildings for the exercise of their religious Worship upon the ground set apart for their Settlement.

Article 5.

All questions either personal or involving property which may arise between Prussians residing in Japan, shall be subject to the decision of the established Prussian authority in Japan.

In case of complaint or objection of a Prussian against a Japanese, the decision shall rest with the

Japanese Authority

And in case of complaint or objection of a Japanese against a Prussian, the decision shall rest with the Prussian authority.

In case of non payment by a Japanese of what may be due to a Prussian, or in case of his concealment with intent to defraud, the proper Japanese authorities shall do all that is in their power to bring the culprit before the Court and to procure from him the payment of his debt. And should a Prussian conceal himself with intent to defraud and not pay his debts to Japanese, the Prussian Authorities shall do all that is in their power to bring the delinquent to justice and procure the liquidation of his debt.

Neither the Prussian nor the Japanese authorities shall be responsible for the payment of debts contracted by Prussian or Japanese subjects respectively.

Article 6.

Prussian subjects having committed offences against Japanese subjects, or against those of another Nation shall be taken before the Prussian Consular Officers and punished according to Prussian law.-

Japanese subjects committing offences against Prussian subjects shall be taken before the Japanese authorities and punished according to Japanese law.-

Article 7.

All claims on fines or forfeitures derived from trespass against this Treaty or against the appended Trade Regulations shall be submitted to the decision of the Prussian Consular Authorities. — Such fines or forfeitures admitted by the decision of the latter shall be paid to the Japanese Government.

Article 8.

At all the ports to be opened to trade in Japan Prussian subjects shall be free to import and sell all sorts of non-prohibited merchandise from Prussian or from foreign ports, and likewise to purchase and export to Prussian or to other foreign ports. They shall however pay the duty according to the tarif appended to this Treaty, and be free from any other contribution whatever.

Prussian subjects may buy from, and sell to Japanese all sorts of goods, free from interference by Japanese Officials, either with the purchase or sale, with the payment or delivery of the goods or the money.

Japanese shall be allowed to purchase all descriptions of merchandise from Prussian subjects, and to use the merchandise so purchased by keeping, or by selling it again.

Article 9.

The Japanese Government shall not prevent Prussian

residing in Japan from taking Japanese into their service and employing them in all capacities not prohibited by Japanese law.

Article 10.

The Regulations for trade appended to this Treaty shall be considered as forming a part thereof, and therefore as binding upon the high Contracting parties.

The Prussian Diplomatic Agent in Japan shall have the right jointly and in agreement with such Officers as the Japanese Government may assign for such purpose, to issue such Regulations for all the ports opened to Commerce as may be required and calculated to secure the execution of the stipulations of the Regulations for Trade appended hereto.-

Article 11.

The Japanese authorities may take such measures at every port as they will deem best calculated to prevent Smuggling.

Article 12.

A Prussian ship on approaching an opened port of Japan shall be free to employ a pilot to take her into port.- In like manner, after satisfying all just demands upon her and when preparing to leave, shall she be allowed to engage a pilot to take her out of port again.-

Article 13.

Prussian Merchants having imported goods

at an opened port in Japan and paid the duties due thereon, shall be entitled to demand from the Japanese Custom House authorities a certificate of payment of such duty; and with such certificate they shall be free to export those goods and reimport the same at another port in Japan, without having any further duty to pay thereon.

Article 14.

All goods imported by Prussian subjects at any of the opened ports in Japan, upon which the duty as stipulated in this Treaty shall have been paid, may be sent by Japanese to all parts of the Empire, without any tax or transit duty of any description whatever be anywhere levied or paid upon the same.

Article 15.

All foreign coin shall be current in Japan, and pass for an equal weight of Japanese coin of the same description.

Prussians and Japanese in making payment to each other shall be free to use foreign or Japanese coins, as they please.

Coins of every description with the exception of Japanese copper coin and foreign uncoined gold and silver may be exported from Japan.

Article 16.

If Japanese Custom House officers are dissatisfied with the value placed by merchants upon any of

their goods, they shall be free to appraise those goods themselves and to offer to buy them at the appraised value-

If the owner declines the offer, he shall then pay the duty according to the appraisal of the Japanese Custom House Officers.- In case of acceptance the offered value shall be paid to him at once and without deduction or discount whatever.

Article 17.

Should a Prussian ship off the coast of Japan suffer disaster, be wrecked, or compelled to seek refuge into any port within the dominions of His Majesty the Tycoon of Japan, the proper Japanese authorities, as soon as they hear of this, shall promptly render all possible assistance.- The persons onboard of such ship shall be treated with kindness, and if necessary, be provided with means to enable them to reach the nearest place at which a Prussian Consulate is established-

Article 18.

Provisions of every description for Prussian ships of war may be landed at Kanagawa, Hakodate and Nagasaki and be stored in warehouses under charge of Prussian Officials, without any duty be paid thereon. In case of sale however of such goods to Japanese or to Foreigners, the purchasers shall pay to the Japanese authorities the duty due therefrom.

Article 19.

It is expressly stipulated that Her Prussian Majesty's Government and its subjects, from the day that this Treaty goes into effect, without further notice shall enjoy all rights, privileges and advantages, which Her Majesty the Tycoon of Japan may have conceded or may concede in future to the Government and subjects of any other Country.-

Article 20

Her agreed that from the 1st of July 1872 the high contracting parties may proceed to the revision of this Treaty for the purpose of making such alterations or amendments therein as experience may have shown to be necessary.- Of such intention to revise this Treaty notice must be given at least one year before that date.-

Article 21.

All Official communications of the Prussian Diplomatic Agent or of the Consular Officers to the Japanese Authorities shall be written in the German language.- In order however to facilitate as much as possible the transaction of business such communications for a period of five years from the day that this Treaty goes into effect shall be accompanied by a translation in Dutch or Japanese.-

Article 22

The present Treaty is made in quadruplicate

in the German, Japanese and Dutch languages. of the same meaning and intention, but the Dutch version shall be considered as being the original, in such manner, that whenever the German and Japanese versions admit of a different understanding the Dutch version shall decide such difference. -

Article 23.

The present Treaty shall be ratified by His Majesty the King of Prussia and by His Majesty the Tycoon of Japan, by their signatures and seals, and the ratifications shall be exchanged in Yedo.

This Treaty goes into effect on the 1st January 1863.

In Witness whereof the Plenipotentiaries respectively have signed this Treaty and affixed their seals thereunto. -

Done in Yedo - on the twenty fourth (24) January in the Year of Our Lord one thousand eight hundred and sixty one. or on the fourteenth day of the twelfth month of the first year of Mannen of the Japanese Era -

(Signed) Count d' Eulenburg.
Muragaki Awadji no kami
Takemoto Idzumi no kami
Kurokawa Satsiu. -

Regulations.

under which Prussian trade is to be conducted in Japan.

Regulation 1.

Within forty eight (48) hours, Sundays excepted, after the arrival of a Prussian Ship in a Japanese port, the Captain or Commander shall exhibit to the Japanese Customs House authorities a receipt of the Prussian Consul, showing that he has deposited at the Prussian Consulate all ship's papers, bills of lading &c and he shall then make an entry of the ship and of the port whence she arrived, her tonnage, the name of her Captain or Commander, the names of the passengers (if any) and the number of the crew, which paper shall be certified by the Captain or Commander, to be a true statement and shall be signed by him; he shall at the same time deposit a written manifest of her cargo, stating the marks, and numbers of the packages, and their contents, as described in the bills of lading and also with the names of the person or persons, to whom they are consigned.- A list of the ship's stores shall accompany the manifest.

The Captain or Commander shall certify the Manifest to be a true account of all the cargo and stores onboard and sign his name thereto.-

If any error be discovered in the Manifest, it may be rectified within twenty four (24) hours

(Sundays excepted) without payment of any fees but for every alteration or subsequent insertion in the Manifest after that time a fee of fifteen (15) dollars shall be paid.

Double duties shall be paid upon all goods on being landed if not entered in the Manifest.

A Captain or Commander who shall neglect to enter his ship at the Japanese Custom House within the time prescribed by this Regulation, shall pay a fine of sixty (60) dollars for every day so neglected.

Regulation 2.

The Japanese Government shall have the right to place Custom House Officers onboard of any ship in its ports, men of war excepted. Those Custom House Officers shall be treated with kindness, and such reasonable accommodation as the ship affords shall be given to them.

No goods shall be unladen from a ship between Sunset and Sunrise, except by special permission of the Custom House authorities, and the hatches and all other entrances to that part of the ship where the cargo is stowed shall be secured by secured by Japanese Officers from Sunset to Sunrise by means of Seals, locks or any other fastenings — and if any person without due permission shall break or remove any seal, lock or any other fastening affixed by Japanese Custom House Officers, such persons so offending shall

pay a fine of sixty (60) dollars for each offence.

Any goods that shall be unladen or attempted to be unladen from a ship, without their having been duly entered with the Japanese Custom House Officers wherein after provided shall be liable to seizure and forfeiture.

Packages of goods made up with intent to defraud the Revenue of Japan by concealing therein Articles of Value, not specified in the invoice shall be liable to confiscation.-

If a Prussian ship should smuggle or attempt to smuggle goods into any unopened port of Japan such goods shall be forfeited to the Japanese Government, and such ship shall pay a fine of one thousand (1000) Dollars for every such offence.

Vessels needing repairs may land their cargo without payment of duty. - all goods so landed shall be in the charge of the Japanese authorities, and all just charges for storage, labor and supervision shall be paid thereon.

But if any portion of such cargo be sold, the regular duties shall be paid for such portion. Goods may be transhipped to another vessel in the same port, without paying duty, but such transhipment shall always be made under the supervision of Japanese officers and after satisfactory proof has been given to the Custom House authorities of the bona fide nature of the transaction, and also under a permit to be granted for that

purpose by such authorities -

The importation of opium being prohibited, a Prussian ship coming to trade in Japan and having more than three (3) catties opium on board of the ten plus shall be seized and destroyed by the Japanese authorities; and any person smuggling or attempting to smuggle opium shall pay a fine of fifteen (15) dollars for every catty smuggled or attempted to be smuggled -

Regulation III

The owner or Consignee of goods who desires to land them shall make an entry of the same at the Japanese Custom House, such entry to be in writing and to set forth the name of the person making the entry, the name of the ship in which the goods are imported, the marks, numbers, packages and their contents with the value of each package extended Separately in one amount and at the bottom of the entry shall be placed the aggregate value of all the goods contained in the entry. -

On each entry the owner or Consignee shall certify in writing that the entry then presented exhibits the actual value of the goods, and that nothing has been concealed whereby the Customs of Japan could be defrauded, and the owner or Consignee shall sign his name to such certificate.

The original Invoice or Invoices of the goods

to

entered shall be presented to the Custom House Authorities, and remain in their possession until they have examined the goods contained in the entry.

The Japanese authorities may examine any or all the packages so entered, and for that purpose they may take them to the Custom House, but such examination shall be without expense to the Importer or injury to the goods; and after examination the Japanese shall restore the goods to their original condition in the packages (as far as practicable) and such examination shall be made without any unreasonable delay.

If any owner or consignee discovers that his goods have been damaged on the voyage, before they are delivered to him, he may notify the Custom House Authorities of such damage, and he may have the damaged goods appraised by two competent and disinterested persons, who after due examination, shall make a certificate, setting forth the amount percent of damage on each separate package, describing it by its marks, numbers, which Certificate shall be signed by the appraisers in the presence of the Custom House Authorities, and the Importer may append such certificate to his entry and make a reasonable deduction.

This shall not prevent however the Custom House

Authorities from appraising the goods in the manner as provided in Article 16 of the Treaty, to which these regulations are appended.

After the duties have been paid, the owner shall receive a permit, authorizing the delivery of the goods to him, whether the same be at the Custom House or onboard ship.

All goods intended to be exported shall be entered at the Japanese Custom House before they are placed on shipboard. The entry shall be in writing and state the name of the ship by which the goods are to be exported, with the marks and numbers of the packages, and the quantity, description and value of their contents.

The exporter shall certify in writing that the entry is a true account of all the goods contained therein, and he shall sign his name thereto.

Any goods, that are put onboard of a ship for exportation, before they have been entered at the Custom House, and all packages which contain prohibited articles shall be forfeited to the Japanese Government.

No entry at the Custom House shall be required for supplies for the use of ships, their crews and passengers, nor for clothing & for passengers.

If the Japanese Custom House officers entertain suspicion in regard to a package, they may seize

the Same, in which case they shall immediately notify the Prussian Consular Officer of such suspension and seizure.

If the goods are forfeited by the decision of the Prussian Consular Officer, they shall immediately be delivered to the Japanese authorities, and the amount of the fines, which the Prussian Consular Officer has admitted, shall be collected by him without delay and paid to the Japanese authorities.

Regulation IV.

Ships wishing to clear, shall give twenty four (24) hours notice thereof at the Custom House, and at the end of that time, they shall be entitled to their clearance. If it be refused, the Custom House authorities shall immediately inform the Captain or Consignee of the ship of the reason why the clearance is refused, and they shall also give the same notice to the Prussian Consul.

Prussian ships of war shall not be required to enter or clear at the Custom House, nor shall they be visited by Japanese Custom House or Police Officers.

Steamers carrying the Prussian mails may enter and clear on the same day, and shall not be required to make a manifest, except for such passengers and goods, as may be landed in Japan. But such steamers shall in all cases enter and clear at the Custom House.

Whaleships touching for supplies, or ships in distress

shall not be required to make a Manifest of their cargo, but, if they subsequently wish to trade, they shall then deposit the Manifest as prescribed in Regulation I.

The word Ships whenever it occurs in these Regulations or in the Treaty to which they are attached, is to be held as meaning ships, bark, brig, schooner, sloop or steamer.

Regulation V.

Any person signing a false declaration or certificate with the intent to defraud the Revenue of Japan, shall pay a fine of one hundred and twenty five (125) Dollars for each Offence.

Regulation VI.

No tonnage duties shall be levied on Prussian ships in Japanese ports, but the following fees, shall be paid to Japanese Custom House authorities.

For the entry of a ship fifteen (15) dollars.
For the clearance of a ship Seven (7) Dollars.
For each permit one and a half (1) Dollar.
For each bill of health one and a half (1½) Dollar.
For any other document one and a half (1½) dollar.

Regulation VII.

Duties shall be paid to the Japanese Government on all goods landed in Japan according to the following Tarif.

Clasp 1.

All articles in this class shall be free of duty.

Gold and Silver coined or uncoined.

Wearing apparel in actual use.

Household furniture and printed books, not intended for sale, but the property of persons who come to reside in Japan. — Household furniture, books and articles of ~~provision~~ consumption for Foreign Officers in Japan. — Should however such articles be sold, the duty shall then be paid thereon. —

Clasp 2.

A duty of (5) five percent shall be paid on the following articles:

All articles used for the purpose of building, rigging, repairing and fitting out of ships.

Whaling gear of all kinds.

Salted provisions of all kinds.

Bread and breadstuffs.

Living animals of all kinds

Coals.

Timber for building houses.

Rice.

Paddy.

Steam machinery

Zinc

Lead.

tin

Raw silk.

All linens, cotton and woollen goods.

Class 3.

A duty of (35) thirty five percent shall be paid on all intoxicating liquors, whether prepared by distillation, fermentation or in any other manner.

Class 4.

All goods not included in the preceding clapses shall pay a duty of twenty (20) percent.

Munitions of war shall only be sold to the Japanese Government and to Foreigners.

Regulation VIII.

With the exception of gold and silver coins and copper in bars, all articles of Japanese production, which are exported as cargo shall pay a duty of five (5) percent.

The Japanese Government will sell from time to time any surplus quantity of copper that may be produced.

Rice and wheat of Japanese growth shall not be exported from Japan as cargo, but Prussian subjects residing in Japan and Prussian ships of war for their crews and passengers shall be furnished with sufficient supplies of the same.

Regulation IX.

Five Years after this Treaty goes into effect,

this tarif of import and export duties shall be subject to a revision, if such be desired by either the Prussian or Japanese Government, Should however during that period the Japanese Government proceed to such revision with the Government of another Nation, the Prussian Government will take a part therein if the Japanese Government desires it.

(Signed) Count d'Eulenburg.
Muragaki Awadji no Kami
Takemoto Dzusio no Kami
Kurokawa Satsiw.

(A true translation)
A. L. C. Portman.

Enclosure.
with despatch No 7.
dated February 1, 1861

Treaty
between
Prussia and Japan.
signed 24th January 1861.

Rec'd 18. Mar. Mr Cushing

N.6 Legation of the United States in Japan.
Jedo, February 13th 1861.

Sir,

The murder of Mr Heusken the Interpreter of this Legation produced a panic terror among my colleagues, who all left this City on the 25th and 26th Ultimo, and I am at present the only Diplomatic agent in this Capital.

I have the honor to transmit herewith No1. N.1
Copy of a Note from Mr Alcock, the British Minister, dated January 22nd.

Compte-Rendu of Conferences held at the N.2.
British Legation on the 19th and 21st of January

Copy of a Note addressed by me to Mr N.3.
Alcock, dated February 12th

A perusal of these enclosures will enable you to understand the great difference of opinion that exists between my colleagues and myself.

The English and French Representatives are both extremely nervous men, and for the last

The Honorable Lewis Cass.
Secretary of State
Washington

last sixteen months they have been in a chronic state of excitement and alarm. Should they succeed in impressing their respective Governments with their peculiar views of affairs here, I do not see how a war with this Country can be avoided.

I have the honor to be
Very Respectfully
Your most obedient Servant.

Townsend Harris
Minister Resident in Japan

Yedo, February 13, 1861.

Townsend Harris.

No 8.

3 Enclosures.

Received.

Relating to the alarm of the English and French diplomatic Agents in Japan, their retirement from Yedo, and the difference of opinion as regards to the state of affairs.

No. 8. Her Majesty's Legation
Yedo, Jan'y 22nd, 1861.

Sir,

I have the honor to transmit herewith a Note embodying a Compte-Rendu of the Conferences which took place on the 19th and 21st January, at H B M's Legation, according to previous arrangement between the Representatives of Foreign Powers now here. I avail myself of this opportunity to express my regret, in common with that of all the other Representatives taking part in the last Conference that we had not the advantage of Your presence on that occasion.

The note having been approved and accepted by the Diplomatic Agents of the Four Powers who were actually present as a true and Satisfactory account of the opinions & views expressed at the Conference, it is proposed that it should be made an authentic document by the signature of the Several Representatives attached to the protocol in the form of a declaration which You will

To Townsend Harris Esquire
Resident Minister of the
United States of America, &c. &c. &c.

Yedo, February 13, 1861.

find annexed; and I am charged with the Communication of the desire also expressed in the closing paragraph of the aforesaid Compte-rendu, that You will attach such further Statement of Your own views and opinions on the Subjects discussed at the Conferences, as may seem to You necessary or desirable.

I have only further to invite You to attach Your Signature to the enclosed Note with its annexes, after which it will be forwarded to each of the other Members of the Conferences in succession for their Signature in like manner, and Certified Copies can be made for Communication to their respective Governments.- As however it is needful that it should first be completed by the Signatures, I beg that it may be returned as soon as it has been signed by Yourself - that the same form may be accomplished by the rest, after which it will again be forwarded to You for a copy to be made in Your Chancellerie

I have the honor to be

Sir,

Your most Obedient, Humble Servant

(Signed) Rutherford Alcock

HB Ms Envoy Extraordinary and

Minister Plenipotentiary in Japan.

Enclosure No 1.
with despatch No 8.
dated February 13, 1861.

Copy of letter from Mr Alcock
the British Minister transmitting
a Compte rendu of Conferences held
on the 19th & 21st of January by the
Foreign Representatives then in Yedo
on the political state of affairs in Japan

Note.

On the political situation and state of affairs in Japan, giving a minute of two conferences held on the 19th & 21st Jan.y 1864 at Her Britannic Majesty's Legation. Yeddo, including Her Britannic Majesty's Envoy Extra.y & Min.r Plen.y

Rutherford Alcock Esq.

The Resident Minister of the United States of America

Townsend Harris Esq.

The Chargé d' affaires of France

Monsieur Duchesne de Bellecourt.

The Consul General of the Netherlands

Monsieur de Wit.

The Representatives of all the Treaty Powers resident in Yedo were present at the first Conference, and all with the exception of Mr Harris, at the second. — To which number was added on each occasion by the special invitation of the several Members.

Le Comte d' Eulenburg, Envoy Extraordinary & Minister Plenipotentiary of the King of Prussia, charged with the negotiation of a Treaty with Japan & now temporarily resident in Yedo.

The British Envoy opened the proceedings of the first Conference by stating, that the Representatives of Foreign Powers at present in Yedo had come together by common consent for the purpose

of taking into consideration the political aspect of affairs, and he believed with a common feeling that their position in the capital was becoming untenable with security to life or a due regard to the dignity and interests of the Nations they re, presented.

In order the Letter to bring under consider, ation the actual situation, and the measures it might be most expedient to adopt to avert the encreased dangers, not to themselves only as diplo matic Agents on the spot whose personal security was no doubt in question, but to Japan and all the Countries in alliance with it, the Ministers in the two Conferences took occasion to pass in review the series of events with the inferences to be drawn from them that there together might form some guide for their conduct in the present critical state of affairs. This was premised by a few observations explanatory of the position hitherto occupied in a personal point of view by the speaker in relation to the Japanese authori ties — His relations with the Ministers had usually been of the most friendly character & were so at the present moment. More especially so perhaps during the last few weeks than at several ante, cedent periods, when questions of a more or less irritating character were under discussion — During

18 months he had steadily observed a policy of forbearance and had been earnest in his endeavours by patience & conciliatory effort (ever remembering how much they had to learn & to unlearn before every thing could be satisfactory) to establish relations of mutual Confidence and respect. As regards the policy & reiterated instructions of his Government nothing could be more opposed to the whole tenor or spirit of these or less in harmony with his own sentiments & convictions than a policy carried out by menace & measures of Coercion

Any rupture of the relations established by Treaty would be regarded by H Mts Government and by the whole Nation with equal anxiety and regret as a calamity, which no effort should have been spared to prevent, and which scarcely any future advantage could compensate - How this end was best to be obtained under the present circumstances of trial & difficulty, without compromising the rights & interests of nations was precisely the question then to be considered before any satisfactory Conclusion could be formed it seemed essential that some definite idea should be obtained as to what constituted the Government of the Country; & what were the conditions of subordination & responsibility in its several constituent parts. For this he conceived

would be the starting point, from whence must proceed any logical sequence in their ideas as to recent events, the responsibility of the Government & the policy it behoved the Foreign Representatives to adopt.

As a contribution to the general information proposed, the following observations were submitted by the British Envoy at the two Conferences in outline at the first & at the second in their present form with fuller details

It was known there was a Titular & hereditary Sovereign in Japan, the Mikado, who had no voice or action whatever, & a Second the Tycoon, vested with what originally was an usurped authority, though since made hereditary with certain elective limitations; the Tycoon was nominally the head of the Executive, but he, like the Mikado, had been virtually set aside & only held a phantom Sceptre. More especially must it be so now that the Tycoon was a mere boy, who could exercise by reason of his Youth neither weight nor influence in the Councils of the Nation.- Behind these shadows the true executive & governing power must be sought - There were first the Ministers, with two of whom the Representatives of Foreign Powers alone came in Contact - Behind, but above them the

Gorogio, or Council of Five Daimios in their own right & high Officers of State by election, claiming to exercise a supreme executive power under certain responsibility & control from those from whom their powers were derived. – Beyond these again, & probably also the effective source of any power the Gorogio exercised was the great Council of the Daimios understood to be 18 in number, these again representing the power & influence of the 62 principal Vassal Princes of the Empire, who lastly formed a part only of the collective body of some 600 Daimios possessed of territorial rights & privileges more or less considerable in the Country & a voice more or less direct & potent in its Councils, however formed or conducted. – Although this left much to be desired both as to detail & ascertainable accuracy of outline, yet in the way of positive information there was nothing more reliable to guide them. – That the highest Titular Dignitaries in the land the Mikado & Tycoon had no governing power at the present moment might be accepted as certain – That the whole Mass of the Nation, consisting of unprivileged classes had no part or voice in the affairs of the Government was also assumed – There remained the class of Daimios between the two Chiefs of Houses, Vassal

Princes once independent, cadet branches with their relations, Officers' dependents & Retainers, in whose hands all power & administration of Executive functions appeared to be to the exclusion of all others. — But how that power was distributed & balanced — how exercised in relation to the responsibility of the several component parts, to any smaller centre of concentrated action & power there was no information attainable in the present state of Foreign Relations. In the injurious isolation & ignorance in which Foreign Ministers were kept by the determined action of the Government to that end directed no information from authentic sources was to be obtained. Anything of a reliable nature to be learned must be sought by logical inference from isolated & often seemingly contradictory facts, reasoning up from effects to causes; of which latter they could in no other way form an idea or a valid opinion. — Yet without some definite ideas on such a subject to talk of Reason of the acts of a Government, was but to cover total ignorance of the thing by a name and through devious paths grope on in darkness.

But taking such facts as had been observed since Mr Harris first entered into negotiations for the Treaty he afterwards so happily & ably

concluded, contrary to all expectation, might it not be possible to discover such a logical sequence & necessary relation of the one to the other and to first causes, as should take Foreign Representatives out of this disabling darkness, in which it was the constant effort of the Governing Powers to keep them, & give to those who must act, in faith or with knowledge & that under the heaviest responsibility, a clear judgment as to the actual conditions of the present situation?

Such links of connection & logical sequence of causes & effects were he thought apparent & in a great degree even susceptible of demonstration. They might be stated in their order & if after that the hypothesis suggested by them was found to admit of whatever fact could be cited, or which from day to day might arise, giving to each & all a full & satisfactory if not exhaustive explanation and a natural place, it could hardly be that the Ministers present would feel any hesitation in adopting it as a guide through all the dark & tortuous paths of Japanese policy.

When Mr Harris had nearly concluded his negotiations, he found an insurmountable barrier to its final completion. — What was this? — He

was told that serious opposition existed among the great body of Daimios to the policy such a Treaty would initiate, & that time must be allowed & was essential to get over this — So insuperable did this difficulty appear, that he had to acquiesce in delay & actually returned to Simoda for a definite period, at the end of which time it was hoped the opposition might be diminished. In the meanwhile the allies captured the Taku forts, & from Tientsin dictated to the Emperor of China & his Councillors their own terms. — Distant news of this was brought to Japan by an American frigate & of the anticipated prompt departure of British & French Squadrons with Plenipotentiaries to negotiate Treaties with Japan. — Armed with this news Mr Harris suddenly returned to Yedo & induced the then existing Government within a few days to conclude the Treaty, which wanted only the final act to complete it — Within one lunar month from that date & before either Lord Elgin or Baron Gros could arrive, the reigning Tycoon had disappeared from the scene — a Youth of 14 or 15 (not his Son) had been elected from the Royal Stock under a Regency, & the whole of those concerned in the negotiations were disgraced & removed even down to the subordinates. — And

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in disgrace to that day they had remained.— These were facts of sufficient notoriety to admit of little question as to their accuracy. — What did they reveal?

1st That the governing class, consisting of the whole body of Daimios in the Empire were divided— & that there were parties & political divisions a mong them: — 2d — that one of these was favor. able to the great innovation of establishing Foreign relations, either because more advanced than the rest, they saw advantage to their Country in such a course; or — that the time had arrived when it was no longer possible to refuse, or possibly moved by more personal considerations, con. nected with internal struggles between different parties for ascendancy and in view of an impend. ing or existing struggle, it may have seemed to them that by introducing a new element in. to the field of Japanese politics by alliances with Foreign Powers they might find strength in their allies and assistance and 3rdly — That another and as it proved in the end the most powerful section were as evidently hostile to this policy, either from patriotic convictions, or an insight into the game of their opponents for strength. ening themselves — and by a sort of Palace re. volution drove them from their posts into dis.

grace and exile – Here then is gained a first starting point.

The governing body, those who exercised more or less direct action in the State and among them the whole power, whether the whole six hundred hereditary Daimios or a lesser number were divided among themselves and represented in respect to Foreign intercourse two antagonistic Sections

Passing on to the next series in the chain there was an order of facts, which for a long time bore an appearance of puzzling, if not irreconcileable contradiction – The Government, that is the official Organs of the official body in contact with Foreign Ministers, and speaking in their name, professed the greatest amity, were full of assurances of good faith and an earnest desire honestly to give execution to the Treaties in every particular – Nothing could be more pleasant & satisfactory as far as professions went, had their acts in any way borne out their promises. – But when the ports were opened in July 1859, an extemporised settlement was found in an advanced state of preparation in an isolated Site, away from the main road and population of Kanagawa, contrary to the most expressed and determined opposition of Mr Harris,

and to his long antecedent objections made on the spot.- This was persisted in, with the aid of Foreigners themselves, but contrary to the opinion of both British and American Ministry; the British Envoy entirely concurring with his Colleague in the impolicy and inexpediency of the adoption of the site. Simultaneously an attempt was made to depreciate the dollar by two thirds; and to prevent all transit along the high road between the Legations at Yedo and the Consulates at Kanagawa for any members of either.

Months were spent in harassing efforts to persevere in these tactics, before even the two latter were finally abandoned.- In the midst of which news was received of the assassination or butchery either of a Russian Officer and two Sailors in the streets of the new settlement at Yokohama; one reason alleged for the occupation of which had been the assumed greater security of Foreigners, away from centres of population. This took place while Count Mouravieff, Governor General of Siberia with a larger Squadron than had ever been seen in the Japanese Waters, was here.- In this case though brutally mutilated and nearly hacked to pieces (as no mere robbers take the trouble to mangle their

prey) there was some pretext of robbery, for a bag or box containing money was taken from the murdered man.— Nevertheless, the popular explanation of the motives for this first of a long series of equally barbarous onslaughts on individual Foreigners, stretching through the whole intervening interval between the 25th. of August 1859 to the murder of the Secretary of the United States Legation but a few days ago, was, not that mercenary, but political inducement had been in operation— It was said to be the work of the Prince of Mito, one of the Royal Brothers, the deposed head of the party in power, when the Harris' Treaty was concluded, and the object to bring on a collision with a Foreign Power; by which to embarrass and ruin the existing Government to the advantage of the party in exile and disgrace.

A Series of similar assassinations followed quick— On the 6th. of November the Chinese Servant of the French Consular Agent (dressed like an European and probably mistaken for one) was slashed across the body with wounds and pursued some distance in the Foreigners' quarter at Yokohama in open day. On the 29th. of January 1860 the Linguist of the British Legation was run through the body on a Sunday afternoon, while standing at the gate.— On the 20th. of the following month

two inoffensive Dutch Captains early in the evening were butchered like the Russians in the mainstreet of Yokohama and not robbed.

This for a time closed the catalogue of attacks on foreigners, and the same unrelenting purpose seemed to take another direction — on the 24th of the succeeding month of March the Regent of the kingdom was set upon in the midst of his retinue by a band of some twenty determined men, who cut their way to him as he sat in his Norimon and struck his head off. — This was done on the road to the Palace — at ten o'clock in the morning, in a great thoroughfare near the Tycoons entrance, almost touching a guard house, and within sight of his own residence, where probably he had armed retainers by thousands!

The extreme audacity of this act of vengeance and political warfare seemed to have thoroughly alarmed the governing powers. — It showed that they had enemies, equal to any enterprise, however hazardous or desperate — In this case both official information and public report indicated the Prince of Mito as the author and instigator of the act — and he became a refugee in open insurrection — Assuming that this party, large or small, but counting among their number a Prince of the blood, and no doubt other Daimios

commanding retainers and resources had some thing to say to all the murders of Foreigners up to that date – it was quite evident they had bravoes in their pay or adherents who were ready to sacrifice their own lives in taking that of others if necessary; thoroughly desperate & unscrupulous instruments of policy or vengeance. Assuming also the party in power, and holding the government of the Country in their hand saw in these murders the desperate and dangerous game of political adversaries, they might very naturally fear, lest they should proceed to further extremities against Foreigners and even attempt the lives of Foreign Ministers – and without any regard or interest for them conceive great alarm, and take measures of unusual precaution for their protection. Such alarm was expressed and certain measures were adopted. – But taking it for granted that the danger here indicated was in their opinion real and great, their measures furnished means of estimating their capacity for dealing with such contingencies and dangers, when there was less reason than usual to doubt their good faith in the matter. – What were these? – Under the plea of zeal for the safety of the Diplomatic Agents, they filled the Court Yards and grounds

of the Legations with watchhouses and guardhouses, and surrounded them with squads of Jacobins-spies-and police of every kind to the total abolition (always under the most specious forms) of what little shadow of free action and liberty had been left to them in the beginning. – But there was no night, in which a band, either large or small, of determined men might not have penetrated at the back of the Legations and murdered every inmate. – And no day that the members went out, when they were not exposed to the risk of being cut down in the streets and murdered, not by such a band as effected their purpose on the person of the Regent, but by any one, two or three men – so cowardly and utterly inefficient the Jacobins appointed to accompany them proved to be. – What was the inference then, but that all this was principally to carry out a system they had much more at heart than the Safety of Ministers lives, a system of isolation, restriction and petty vexation to make the residence of diplomatic Agents as disagreeable and hateful as possible and as idle for any purpose of obtaining knowledge, that might aid them in forming a true estimate of the condition of the Country and its Government – So they took care the residence of Ministers should

alone take place under such conditions. At first it had been attempted to prevent their free circulation through the City by mobbing and pelting every member of the only two Legations there established, and no attempt whatever was made by the authorities or by the Ward Constables, stationed at every 60 paces, either to disperse the mob or arrest the ringleaders - The Government pleaded inability to control the popular will, until an energetic protest was received from the British Envoy, warning them in very plain terms of the danger they were incurring, when within eight days, it might be twenty four hours all signs of turbulance disappeared as if by magic in the very quarter where previously the entrance of a Foreigner was a sure signal of mob violence.

It might by some be supposed that between the protest and with its plain warning of consequences and the sudden cessation of these popular outrages there was no connection, that the governing powers wholly foreign to such demonstrations of enmity were, as they said, unable to prevent its offensive exhibition - but the least suspicious must confess there was (in that supposition) something equally unintelligible in the unprovoked violence and its sudden cessation - Whereas, if we believe, we see in the series of

of events proof, that this was a simulated popular movement, fictitious in its origin and got up by some influence unknown to the Government and not beyond its control and for purposes of intimidation in carrying out an odious and unprincipled policy to deter the members of the legation from moving freely about and make them virtual prisoners within their residence, but failing in its object and threatening to bring some immediate complication upon the heads of the Governments it had been simply countermanded and ceased accordingly, as any movement by authority naturally ceases when the power, which sets it in motion wills that it should stop — This indeed supplied an adequate and reasonable explanation, whereas the other supposition left all the facts perfectly unintelligible.

Under the new system with its accumulated restrictions and surveillance things were allowed to take their course during the rest of the year. Foreign Representatives saw plainly enough the tactics of the Government and winced a little under all the petty incessant and only half dissembled impertinences and vexations, which a swarm of low officials were placed in a position to inflict; but the struggle to get free must evidently involve a recourse to strong if not

extreme measures, which all were reluctant to the last degree to adopt.

Except occasional menace from retainers of Daimios, drunk and sober, with invariable inoffensiveness and manifest indisposition on the part of the Yacconins said to be for their protection to interpose; nothing very material occurred.

Some were sanguine that all would be well with time and patience; others doubted but waited anxious to carry out a policy of forbearance and good will to the last point compatible with the exigencies of their position. — There was doubtless much to be desired, much it was difficult to reconcile with any conviction of good faith or amity on the part of those, who held the reins of Government; unless with such belief, the further conviction of their inaptitude and total inability to perform the functions of a Government. — Between want of will and of power or ability lay the whole question; there really could be no third postulate in the matter — Without alluding to many minor grounds of complaint the arbitrary detention of goods at the Custom House with vexatious delays and obstructions the undoubted and continued acts of official interference with the operations of Merchants and the exchange of produce with incessant extortions on those

allowed to have any intercourse, the absence of all effective measures for ensuring the circulation of dollars at their value weight for weight, for the recovery of debts or punishment of frauds and breaches of contract, – the absence of all real protection from insult or violence, which continued from mouth to mouth despite all warnings and remonstrances under a whole system of shams, covering a real surveillance for purposes of vexation and restriction, entirely contrary both to the letter and the spirit of the Treaties, without taking those up in detail & allowing a large margin for misunderstandings, want of experience of European usage and feelings, good intentions ill carried out by subordinates, and any other excuses they may be able to make with a show of plausibility, they stand as a Government condemned by the one fact beyond all question, that in all these violences, menaces and apapins-ations (and all have not been enumerated, even where wounds only were received) in no one case has any the slightest redress been afforded or justice done to the apapins – Even in the only case, where the ap[illegible]ailant was seized because Englishmen coming to the rescue of their Countrymen, after he was cut down and

thus preventing his murder pursued and dis. covered him — It is now nine months ago & no judgement has yet been given or no pre. tence of justice done, though the man was caught redhanded in the act. — Is it possible to overlook what this well known assured immunity carries with it — a premium to crime; a letter of license to every ruffian and ill disposed apasjin in Japan, of which there are by their own showing so many to attack and slay every foreigner in it, could not more effectually outlaw and rob them of all pro. tection — This above all other injuries know. ingly inflicted upon Foreigners was the most serious and the most unpardonable. — It had continued as an integral part of their sys. tem from the beginning and without change or improvement during eighteen months. to all remonstrances, warnings and protests re. newed at frequent intervals by the several Foreign Representatives, they have in effect turn. ed a deaf ear while professing the greatest concern and goodwill — To every remonstrance of more urgent character, backed by any de. monstrative proof in the murder or assault of a foreigner, the only practical reply has been more vexatious cumbering of Formins, more

interference with domestics, matters which in no way concern them or the safety of Foreigners; and any other device for throwing real at the expense of the Foreigner - But of real effective protection none, as those who are in the habit of moving much about know too well.

Under this system of restrictions and petty molestations on a plea of anxiety for the safety of the Legations, coupled with a perfect immunity to crime and total absence of all effective protection, living under a perpetual menace from time to time renewed of a general massacre, a system of terrorism and intimidation, so far as it depended on Japanese to make it so, ever and anon enforced by the assassination of some Foreigner eight, seven months had passed to the end of last year without any appearance of change or improvement, the Ministers very courteous, full of assurances of anxiety to observe the Treaty at the same time that they had shown by acts a more undoubted anxiety for many months to induce the Foreign Representatives to obtain the consent of their respective Governments to defer the opening of all the remaining ports and places enumerated in the Treaty on the declared ground of public opinion being so hostile and

strongly opposed to any further extensions of Trade and of the prevalence of general discontent that the Government could not and dared not give effect to the Treaties, nor have they hesitated in official communications both written and verbal to hint in terms not be misunderstood that if they were finally refused, consequences might ensue, which the Government could not prevent and we might regret, in a word some sort of outbreak or revolution in which Foreigners lives would be sacrificed, their property destroyed and the treaties trampled under foot by those who were opposed to their execution — The non execution in many important particulars of treaties at the three ports which had been opened — this persevering and determined effort, backed by a scarcely veiled argument of intimidation addressed to the Foreign Ministers personally to deter them from others at the time stipulated — the absence of effective protection against the designs of the ill disposed, whether by incendiarism, of which there have been many cases, or by violence and murder — the utter denial of justice in all matters civil and criminal.

That in so many words was a summary of the past policy and system of Government

of this Country up to the close of last year, and it had already anxiously engaged the serious attention of more than one of the Foreign Representatives, whether in the absence of all reliable sign of improvement or of any change for the better, it was consistent for the dignity of a Sovereign power or compatible with the true interests of any nation to continue diplomatic intercourse on a footing at once so derogatory, so useless and so demonstrably unsafe to the lives and property of all Foreigners in the Country from the Ministers in Yedo to the merchants at the Ports? - While yet in suspense, anxious as to the future, yet unwilling to despair, hoping against hope almost, above all desiring to avoid precipitation, the new Year opened and brought its greeting from the Ministers of Foreign Affairs in the shape of an intimation that they had intelligence of an alarming character of gatherings of Loonins, for the purpose of attacking all the Foreigners at Yokohama, Kanagawa & Yedo; and followed by a proposal that all the Consuls should leave their residencies at Kanagawa and go over to Yokohama, where they could be more easily guarded; and the several Ministers should in like manner leave the Legations and take up their residence together within the circle of the moats with the

same view of better providing for their security.- These propositions were both for reasons deemed conclusive by the Ministers in question declin. ed, and immediately the most extensive pre. parations were made apparently for the defence of the Legations against a large force- Guards were doubled and Daimios' men to the number of some one or two hundred were bought into the several places with field pieces to support them — Still things took their course - the Go. vernment continued to give signs of anxiety and alarm - but so far as carrying out the plan of dislodging both Ministers and Consuls (long a favorite project of theirs it cannot be forgotten) the menace of massacre failed in its effect.

Like so many other not dissimilar alarms and menaces, many had begun to hope that the Govern ment had designedly or otherwise exaggerated the real grounds of alarm and danger whatever there might be and that matters would assume their usual course, when every one was startled out of this fancied security by the intelligence that Mr Heusken on his way from the Prussian Le gation had been waylaid and murdered -, his Jaconins running away and leaving him to his fate, as it had been so often said to the Govern.

ment it was known they would in the face of any real danger.

Why did this one only of many equally as vicious assassinations suddenly create in the minds of many if not all of the Foreign Representatives so strong and abiding an impression that the time for hesitation for doubt and inaction now was past - and that the hour had come for some decisive policy to arrest, if possible, the Japanese in the fatal course on which they seemed to be fully launched, and to do so, before by the murder in detail of individuals or a more general massacre, to which it was impossible to see any impediment, if resolved upon by the same parties, who decreed those already perpetrated, had still further deteriorated and complicated the position?

It might be asserted that this was no political assassination, but a mere fortuitous rencontre with a band of havoes, such as are known to haunt the streets of Yedo, especially at night, and who took the opportunity, pluming themselves on the murder of a foreigner, and of committing the crime as any body might have foreseen they would, for the mere pleasure of the thing and without other motive - But there were some of the Members there present profoundly convinced of the contrary, and saw in it such a clear connection with the

inauguration of this most recent course of terror-
ism and intimidation, that they could arrive
at no other conclusion.

Having thus paped in review all the leading
features of Foreign intercourse since the opening of
the Ports, the British Envoy begged their patience
yet a few moments, while he traced in succession
the results, at which he had arrived by the proces
of inferential reasoning and the putting together
of scattered facts bearing on their position. — He
thought it might be demonstrated that there
was no one of there facts, that did not find its
place and natural explanations in perfect har-
mony with the conclusions he had drawn.

The first of the results, on which he deemed
it important the attention of his Colleagues shoul
be fixed tend to define the constituent elements of
the Government of the Country, limiting it in its
largest acceptance to the whole body of the Daimio
and privileged clapes, privileged by birth or office
and position and further subject to eliminations
and selections imperfectly known, save that of the
whole 600 and odd Daimios, 62. were men of great
importance weight and influence; that of these again
some 18 formed a great Council of State apparently
exercising the highest powers, within which again the
Gorogio of five were constituted as their nominees, &c

semblin in some degree a Ministry in Europe in their functions.- The second result served to e, stablish several positions - First, that this large Governing Body, as it might be termed, from whence were drawn the material constituents of any Government were divided into two parties on the question of Foreign Relations especially, if not on others - 2ndly - that the one hostile to any such departure from the ancient policy defeated the party, which concluded the first Treaty and have ever since remained in power. and 3rdly that it was with this party, avowedly hostile to the whole policy of Treaty Relations, with whom the Foreign Representatives had been called upon to treat in seeing the Treaties carried into execution.-

The next order of facts led to the further conclusion, that while these two parties still continued to struggle, the one, it was alleged, to the peril of Foreigners in the endeavor to embroil the existing Government with Foreign Powers (and the manner and time of many of the murders went far to bear this out) there were, even among the ascendant party, whose nominees and representatives the Gorogio and Ministers, forming the ostensible Government, must be regarded men of strong views and violent opinions, who advocated a more decided retrograde policy and the adoption of mea,

sures, which at whatever cost, should relieve the Country at once of a source of internal danger and revolution by removing the Foreigners altogether — That this should be done by intimidation, if that might suffice, by decimation or general massacre, if the first failed, and then by closing all the ports, on the plea that public opinion would not tolerate either Foreign trade or intrusion — and lastly, that there were some among these (they might be many or few) who, with or without the consent of those, who actually held the executive power, had for some time been carrying out their extreme views by creating the dangers, with which the whole Foreign Community were then menaced, — That this was more or less clearly known to the Governing Members and others, who saw with regret such violent and hazardous proceedings, but felt powerless, either from timidity or the conscious futility of measuring their strength against antagonists, who were too strong to cope with and be successful — With as little regard for Foreigners as their colleagues it might be (there was little evidence on this head) they would prefer a more temporizing policy and milder, though not less effective method of rendering null all the Treaties, null to any practical purpose, biding their time to sweep them away altogether, if ever safe occasion should arise — What

else could be expected from men so avowedly hostile to the policy, and who came into power on that cry?

Let it then be examined and seen, whether all the known facts of the past eighteen months of intercourse did not fully support that view and receive from it a clear and satisfactory explanation, facts which otherwise lay scattered and unintelligible.

The British Envoy stated, that such were his views of the policy of those, who now governed Japan and the actual position of Foreigners in respect to them. - He was profoundly convinced that measures were being taken, which had for their object the removal of Foreigners out of the Empire, either by intimidation or by murders - that how far those, who more or less visibly held the reins of Government were parties to this atrocious system or only reluctant witnesses, conclusive facts were wanting to show; but that they were cognizant of some one or more of their body, who had means at command, even if they did not know who the individuals were, actually engaged in carrying out this vendetta against Foreigners it was impossible for him to doubt - and with this conviction it was equally impossible he could reconcile it to his duty to stand by with folded arms and wait until so foul a conspiracy should be carried on still further to its determination, and equally impossible therefore to waste further

time, which might cost valuable lives, in addressing mere remonstrances to the Ministers, who, as he firmly believed, upon a large experience would give him only the stereotyped assurances, which would end in nothing - He believed that Ministers had not in truth the power, if they had ten times the will or courage he was disposed to attribute to them to take effective and summary steps - He believes it was only by the Representations of all the Treaty powers showing a resolute determination then and there, to stop this course of terrorism and decimation; and that by some action so decided and significant that it would not only thoroughly rouse the ministers to a sense of their danger (which he thought of minor importance) but all their colleagues great and small throughout the Daimio Class, and possibly reach with effect those very Daimios, who, he believed, held in hire the assassins who killed Mr Heusken, who possibly had been the instigators of many more such atrocities and who assuredly would not stop, if by some means or other, they were not alarmed for their own safety a pressure was brought upon them. And this might come through the alarm of their own adventurous and violent spirits, who collectively might find both strength and courage to control, united by a common danger, even those of their own body,

who were hurrying the Country into conflict with all the Chief Powers of Europe in danger of being outraged by an odious breach of national faith and the deliberate murder and assassination of their subjects.

The British Minister concluded by saying that to effect this, he believed, it essential for the Foreign Representatives to withdraw at once from Yedo, take up a position at Yokohama, where they would be protected by the Foreign ships and provide for the security of their Countrymen and themselves. There free from menace and in the independent position, which alone befitted their diplomatic character, they could call upon the Government to reconsider their policy, give them such satisfaction as might be required for past disregard of Treaty obligations and guarantees for the future, especially as to security of life and person, in which they had hitherto so completely failed - He then read the draft of a letter to the Ministers of Foreign affairs which he had in contemplation to send in his own individual capacity, if necessary, as the British Envoy, still further explaining the course he believed the best calculated so to produce the desired effect, not to provoke a rupture, but to avert the interruption of friendly relations and calamities, which he firmly believed must follow a longer persistence

in a course of mere remonstrance — They had to meet with diplomatic measures a system where the assassin was called in to aid the Minister, and influence was sought to be obtained by terrorism and intimidation, perpetually addressed to them as Foreign Ministers and to every Foreigner residing within the Empire on the faith of Treaties.

The Chargé d'affaires of France stated his general concurrence with what had fallen from the British Envoy and observed that in all essential points there was a perfect accordance in their views, both as to the policy, which had been pursued by the Japanese Government and the present situation. — His could not be better shown than by the communication of the paper he held in his hand, being a note prepared for the Conference and giving in some detail the considerations, which he deemed it most important at the present conjuncture to be borne in minds. The note was then read and left to be appended to the Minute of Conference and will accordingly be found attached hereto, together with a supplementary note produced at the second Conference.

Monsieur de Bellecourt further insisted upon some of the leading points in subsequent remarks after hearing the observations of his other colleagues. — He particularly dwelt upon his conviction, that if

the Foreign Representatives hesitated at that time and were induced by any consideration to forego the expressed intention of all the Diplomatic Agents, except the Minister of the United States, it was impossible that their position should not be still further deteriorated and the Foreign Ministers lowered in the eyes of the Japanese — He regretted that Mr Harris should determine to isolate himself — He did not believe any more than his colleagues in a general danger of massacre, but in a Machiavellic combination for purposes of general intimidation, supported by partial danger, in aid of a policy wholly contrary to the spirit of the Treaties which had been entered into with Japan — In this view he could only consider that to allow the Japanese to impose a law of restrictions and intimidation was to encourage them in crime of 'Lèse-Nation' and signal bad faith — He did not consider that a Foreign Representative was justified in submitting to this régime of Terrorism and menace for the sterile honour of dying at his post — For himself he had only one fear, which he was ready to confess, and that was seeing the flag that had been confided to his hands dishonoured if he continued to accept proofs of bad faith and to subject himself to treatment designed to humiliate and degrade; and to this he found himself exposed in his daily relations with the Japanese Government — He could only

therefore persevere in his determination not to quit Yedo permanently, but temporarily to withdraw in order to bring the Japanese government to some terms for improving a position he felt to be no longer tenable and leave them the plain alternative, either to do this or accept the risk of measures on his government alone or in concert with others, might at a later period deem it needful to adopt for the maintenance of Treaty rights in view of the equivocal position they would in that position have deliberately chosen to take up. — Mr de Bellecourt concluded by observing that although he believed Mr Harris' isolation from his Colleagues would have the effect of confirming the Japanese in their present evil course, and otherwise weaken the united action of himself and colleagues, yet he saw nothing in that act which compromised the principle on which they were prepared to act, or otherwise justified any change; on the contrary he saw reason to conclude that Mr Harris might find his best chance of safety in the determined course of his colleagues to which he stood opposed. — As regarded the proposition which terminated his note, he was quite prepared to modify them in any way that might seem advisable in conference with those of his colleagues, who were agreed upon the general principle which should guide their course of action. —

The Consul General of the Netherlands observed that he had listened attentively while the Minister of Great Britain had reviewed the political state of Japan, expressing his conviction that under existing circumstances the diplomatic agents were no longer justified in residing at Yedo. –

The danger attendant on a residence in Yedo, as explained to the United States Minister when in making his Treaty, he stipulated for the right, the insults and indignities offered to the first comers in the public streets at Yedo; the succession of murders since perpetrated – and especially the fact of the perpetrators remaining unpunished – all this had produced upon him the conviction that there existed a strong hostile party against Foreigners in Japan, which the Government lacked force or energy to repress. – After the occurrence of these events had led him to this conclusion, he was informed officially by order of the Government, that it was dangerous for the diplomatic agents to remain in their residences at Yedo and that it was advisable for them to take refuge inside the limits of the Imperial Castle. – Twelve days after this warning the Secretary of the Minister of the United States was murdered by an armed band in one of the streets of Yedo; and three days after this another Official warning was given that the diplomatic Agents would endanger their lives if they carried out

their intention of attending the funeral of the victims.

Subsequently he had seen at the funeral, which was attended by all the Representatives of Foreign Powers at Yedo no precautionary measures whatever had been taken by the Japanese Government along the road to avert the danger, the real existence of which was pointed out by its own Ministers.-

These facts led him irresistibly to the conclusion that the Government had no power to prevent the murder of the Secretary of one of the Legations at Yedo, and had taken no measures to insure even the lives of the Ministers.- Either they had not the will or the power to take Satisfactory measures for that purpose, unless their conditions were complied with that all should take refuge within the limits of the Imperial Castle.- He as Consul General of the Netherlands could not accept that condition, because he deemed it inconsistent with the dignity of his Government, which had not entrusted the protection of its Representative to the Japanese Government in such a manner.-

He would not accept it moreover, because no decided intimation was given from whom the danger was to be feared; and no information that any proceedings had been instituted which could lead to the apprehension and punishment of the Criminals — and lastly, because neither such communication nor such

result was to be expected, as the latter was still wanting in all the former successful attempts at life -

It would be impossible to know therefore at what distant period he might venture forth out of his place of security and deem himself safe -

For these several reasons he concluded by observing that he should not consider himself justified in remaining in his present residence, knowing that there he could not rely upon the protection of the Japanese Government; since he would thereby knowingly involve his Government in difficulties, if the danger were to be realized, which by the admission of the Japanese Government threatened him. -

As long as this state of Affairs should last therefore he should feel bound to withdraw from Yedo and bring the circumstances to the knowledge of his Government with whom a final decision would rest.

The Minister of the United States regretted that he was unable to concur in the view entertained by his colleagues, from whom indeed he differed in many essential points. - He was the oldest Foreign Resident in Japan; he had enjoyed long and intimate relations with the Japanese authorities and Government and he still retained his faith in their goodwill and desire to carry out honestly the Treaties they had entered into - But they had many difficulties to contend with and the Foreign Representatives could not

desire them to do impossibilities. – They had shown no backwardness in taking measures of precaution for the protection of all – but it was out of their power to prevent such murders as that of Mr Heusken who had exposed himself by going out at night, contrary to the repeated counsels and remonstrances, received both from the Government and himself. – He for his part felt perfectly safe, so long as he complied with the conditions which circumstances imposed and could not agree in the policy of leaving Yedo – On the contrary he thought such a step fraught with danger, that if they once left they would never return, and that an attempt to occupy any portion of Yokohama with foreign troops would create such an alarm and such a burst of National feeling that conflict and war would be inevitable. He recommended that they should unite in urging upon the Government more vigorous measures and trust to their good faith to give effect to them

Le Comte d' Eulenburg observed that the opinions of the Representatives of Great Britain, France and the Netherlands on the one side and the Minister of the United States of America on the other were divided. – The first three regarded the danger menacing the members of the Legations as imminent – Taking their departure from this point of view, they considered that in the interests of the Government they represented they were not permitted to incur this

danger, because the Assassination of a Minister or any Member of the several Legations might oblige their respective Governments to demand a serious satisfaction, which could not fail to create the most grave complications with the Japanese Government. — In order therefore to save if possible their Governments such embarrassment, but also to prove to the Japanese Government at the same time that the actual situation was untenable, they proposed to withdraw temporarily to Yokohama & to address them a note, in which the Motives for this proceeding should be fully explained, and in which the Ministers would insist upon the Government adopting immediate and efficacious measures to change such a state of things. —

On the other hand the Minister of the United States did not concur in these views. — Notwithstanding that he did not deny Mr Heusken had been assassinated for a political object, he was of opinion that if the deceased had followed the advice that had been given him very frequently both by the Government and by Mr Harris himself not to go out at night, he need not have met his death in the way he did.

The Ministers of the United States declared that he did not believe in any danger to the Members of the Legations provided they conformed to the measures & precautions commanded by the circumstances, and

he believed it his duty therefore to remain in Yedo & from that resolution nothing would turn him. — Mr Harris had further stated that he greatly feared, if the Foreign Ministers once withdrew from Yedo, they would never return and foresaw that the disembarcation of any troops for the protection of the Legations at Yokohama would lead the Japanese to believe that there was a design for the occupation of Japanese territory & it would create such an outbreak of national feeling or to render a conflict if not war inevitable — Mr Harris gave it as his final opinion that all the Representatives should remain in Yedo and confine themselves to energetic representations on the actual situation, which he himself considered anything but satisfactory.

The Minister of Russia after this résumé of the respective opinions of the Members of the Conference expressed a hope that they would perceive his position was altogether exceptional. — He had just concluded the negotiations of a Treaty with Japan, which he hoped would within a very few days be signed — For him to retire either to Yokohama or on board one of his ships would be to defer the signature of the Treaty indefinitely & to compromise the success of his Mission which had already encountered so many difficulties — To which also must be added that he had at his house a guard of Marines sufficient to protect him from attack — Upon these grounds he was determined to re-

main en Yedo until he had obtained the signature of the Treaty – But he had no hesitation en declaring that if he were en the place of the Ministers of England France & Holland, he would act as they proposed to act. that is, he would temporarily withdraw from Yedo.

Only as regarded the note to be addressed to the Japanese Government expressing the motives for such a step, he would be careful to express himself with great calmness. – Persuaded as he was that the Japanese Government had no part en the assassinations during the last two years; but that it was too weak to take any effective steps against those who might be the real culpables he believed that what was above all things needful was to arouse the Government from its torpor – The time to declare war upon them had not yet arrived – but the time had come for representing to them en terms at once calm and energetic the danger they ran if they did not rouse themselves to a vigorous effort to prove by conclusive acts that they had both the power and the firm determination to make respected en Japan the first principles of the right of nations. – If three Foreign Representatives withdrew temporarily & simultaneously that would better serve than any other action to impress upon the Japanese Government the necessity for reflection, without en any way provoking a rupture.

The disembarcation of a guard sufficient for the

protection of the Foreign Ministers at Yokohama could not give any umbrage either to the Government or the people - for he himself as the Minister of Prussia had latterly caused a guard of thirty men to be disembarked for his protection without any objection being taken. - The resolution, which the Minister of the United States of America had announced of remaining at Yedo would not be conceived to weaken the action of his Colleagues. - Mr Harris had somewhat of an exceptional position also in his relations with the Japanese Government - He was the oldest resident among the Foreign Ministers & had negotiated the first Treaty. - The Japanese Government would assuredly make every effort to protect him & to much the more if his colleagues withdrew - The Minister of Prussia then summed up by observing that he thought the divergence of opinion as to the measures to be adopted did not constitute a dissension between the Ministers then present at the Conference, but rather that the steps, which both the one and the other conceived necessary could very well be carried out without either being compromised by antagonisms - provided on each side they were fully penetrated with the sentiment that each and all were acting in the sole view of bringing about such change as would render the position tenable & not to provoke a rupture

The Minister of Prussia finally declared his in

tention to address to the Japanese Government a note in which he should state his perfect accord with the Ministers of Great Britain, France & the Netherlands, at the same time that he justified a different course of action by his exceptional position.-

The Conference having been adjourned to the 21st January the same Ministers and Representatives of Foreign Powers being present as on the previous occasion with the exception of Mr Harris the Minister of the United States.-

Mr de Bellecourt read an additional note on the political situation, which he deemed to add to that he had already left to be annexed to the complete minutes of their conferences. The British Minister read to his colleagues the revised note prepared in the interval (already inserted) giving a general apercu of the position they had been called upon to consider with fuller details as to the course of events, and the inferences that he had brought under their notice in the general outline given at the first Conference.-

And after a further interchange of opinions on many of the subjects discussed at length in the apercu above referred to, it was agreed that a summary of the proceedings and opinions should be pre-

posed for the signature of the several Representatives as an authentic document, which each might forward to their respective Governments, as embodying not only their opinions on the spot, but all the information bearing upon the actual situation which it was possible to obtain.

The British Envoy after hearing the opinions of his colleagues begged to offer one or two concluding remarks - and first, as regarded the exposition of Count d' Eulenburg's views of the actual situation, as well as the course of action to be followed, he could not but feel it a subject of congratulation, that these so entirely coincided with his own in every point. - because the Prussian Minister, while he had been quite long enough in the Country to form a correct judgment on Japanese affairs and the position of Foreigners, had the great advantage of arriving fresh from Europe, and free from the disadvantage that besets all old residents in Eastern Countries, of constantly revolving the same ideas and the same impressions until they became fixed and could not be got out of the accustomed rut. - With a fresh mind, large European ~~Conclusions~~ experience and a judgment warped by no foregone conclusions a temporary resident also, and in a certain sense an impartial observer without personal interests, he, of all present, perhaps was in the best position to

arrive at a right conclusion. — For this reason especially, it was gratifying to him, and he thought it would be to his Colleagues the Representatives of France and the Netherlands that the judgement formed by the Minister of Prussia so entirely accorded with those which they had each and all expressed. There was in fact no difference whatever in any essential particular in these several expressions of opinion. For, if the Count d' Eulenburg seemed to lay more stress upon the importance (while carrying out the resolution of withdrawing from Yedo) of carefully avoiding in the Note to be addressed to the Government explaining the motives of such a step anything calculated to give the impression of a desire to provoke a rupture and on the contrary, of clearly conveying to them the truth that it was to <u>prevent</u> such a calamity, if possible, and save them from so great a danger that they temporarily withdrew from the Capital to give them time to amend what was amiss, and cause the law to be respected in their own interest, not less than that of Foreign Powers, he had merely more fully developed the prevailing sentiment of all. The Prussian Minister might feel perfectly assured that he — and he thought he could as certainly answer for his two Colleagues had solely in view, in any steps they were prepared to take, to bring about such change as would render the position tenable" and a

vent the calamity of a rupture, to which things were otherwise tending with an increasing impetus.

As regarded the Prussian Envoy's view of the effect and tendency of the isolation of the American Minister in their otherwise unanimous movement, there might indeed be some difference of opinion, but this was comparatively unimportant.

The British Minister still thought that this separation of the Representative of the United States from his colleagues in so grave and important a crisis was a misfortune, and would tend to a certain extent to compromise their action, as it would undoubtedly be construed by the Japanese Government into an dis-accord, from which they were likely to draw encouragement to resist the pressure about to be brought upon them and so far as it had this effect it would be an injury to all, to the country Mr Harris represented no less than to Japan. But in regard to their colleague's safety in remaining, the Japanese Government would naturally look to him as an ally and take every possible care of so valuable an accession of force.

He must repeat then what he had already stated on part, that he had no anxiety for Mr Harris' personal safety, which would be secured by their withdrawal and attitude, giving to the Government many additional motives to take care no harm befall him.

The danger would be in all remaining and the absence of such a check upon the course of assassination, which, if allowed to continue could only end according to all appearances, and he would add, probability in the murder of one or all of those now in Yedo, the signal in all likelihood of a still larger loss of life and destruction of property elsewhere among their countrymen. He felt it was his duty as the British Minister to avert this at all risks and all costs, and if he believed that could be better done or done at all, by remaining in Yedo, most assuredly he would not leave it. — But believing and being profoundly convinced that this course would leave the sinister influences which had been so long so manifestly and deplorably in action without check or hindrance, to consummate their work of decimation and murder, no fear of being supposed capable of flying from a post of danger for his own personal security should deter him from carrying out the only policy, which seemed to him calculated to prevent great national calamities. —

The Minister of the United States had other convictions and undoubtedly was bound in like manner to act upon them — And as to their common regret Mr Harris had not been present at this last conference, he should propose that the note, now to be prepared should be forwarded to him for his ap-

proval and signature in common with all the Ministers and that he should be invited, if he deemed it desirable to furnish a note, giving more fully his own opinions and views in order that the same might be attached and form a part of the record of their proceedings on this occasion.

The Ministers of Great Britain, France and the Netherlands then having agreed to prepare each an official communication to be made to the Japanese Government to be delivered only when they had effected their withdrawal from Yedo and sent in simultaneously the conference broke up.

We the Undersigned Ministers and Representatives of Foreign Powers now resident in Yedo having perused the Note with supplementary Documents hereto attached accept it as a true and satisfactory compte-rendu of the opinions exchanged at the two conferences held at the British Legation on the 19th and 21st of January, 1861.

Légation de France.

au Japon.

Note pour la première conférence

du 19 Janvier.

Yedo le 18 Janvier 1862

Dans les premiers jours de ce mois le Ministère Japonnais a fait part aux Représentants étrangers accrédités à Yedo des dangers qui les menacent eux et leurs Nationaux, tant dans la capitale qu'à Kanagawa ; il les a même engagé a venir habiter dans l'enceinte du Palais et à faire retirer les Consuls de Kanagawa à Yokohama ou à bord des batiments de guerre de leurs nations respectives ou des vapeurs Japonais -

Les délégués du Gouvernement Japonais interrogés sur les causes et l'étendue du danger ont évité de se prononcer catégoriquement ; ils se sont contenté de dire qu'une grande quantité d'officiers déclassés (vulgairement appelés Lonines) parcouraient Yedo et les environs avec l'intention de mettre à mort les étrangers, d'attaquer les Légations et les Consulats et de brûler les établissements formés par les occidentaux à Yokohama.

Ils ont ajouté que le Gouvernement se préoccupant vivement de cette situation avait fait appel à plusieurs Daimios, sur lesquels il croit pouvoir compter, et que ces Princes s'étaient chargé du soin de défendre les uns les Légations étrangères, les autres les é-

tablissements de Yokohama.

On a remarqué avec étonnement que parmi les noms de ces Daimios ne figure celui d'aucun des Princes puissants qui semblent avoir une grande part d'influence dans les affaires du pays, tels que les Princes de Tanga, Satsuma, Mito, Owari Kenbi Sama qui sont cependant représentés à Yedo par de nombreuses cohortes d'officiers.-

On a remarqué aussi que les forces militaires particulières du Taicoun n'ont point été dénommées, ce qui donne à supposer que le Gouvernement de ce Prince ne disposerait d'aucune force militaire spéciale, à l'aide de laquelle il pourrait assurer la protection des étrangers au Japon.

Les Représentants étrangers ont néanmoins persévéré à rester à leur poste, ainsi que les Consuls que le Gouvernement Japonais avait fait prier de se retirer à Yokohama.

Le Gouvernement Japonais n'a donc pas encore réussi dans les tentatives d'intimidation qu'il a fait donner aux étrangers par tant d'avertissements sinistres, et tant de fois depuis les mois d'Août et Septembre, envoie sans doute de faire renoncer les Puissances Occidentales, soit à certains bénéfices des traités conclus, soit à la conclusion de nouvelles conventions.-

D'autre part, la mollesse du Gouvernement Ja-

ponais à assurer la sécurité des étrangers autrement que par des semblants de mesures, le peu d'énergie des défenseurs auxquels il prétend avoir confié l'existence des représentants des Puissances occidentales avaient été déjà manifesté à la fin du mois d'Octobre dernier, lors de l'assassinat du gardien de pavillon de la Légation de France, qui n'a dû qu'à son sangfroid et au secours de l'arme à feu dont il était porteur d'échapper à une mort certaine et de ne recevoir qu'une blessure heureusement peu grave. — Dans cette circonstance le Gouvernement Japonais n'a pas craint de témoigner plus d'empressement à entraver l'action de la justice qu'à lui donner tout concours et lumières ! — Une correspondance écrite sur ce triste procès met complètement à jour la timidité du Gouvernement Japonais, pour ne pas dire sa connivence, forcée ou non avec les auteurs de ce crime — En effet le nom du Prince, auquel appartient l'assassin du Sieur Natal a été dans toutes les bouches parmi le peuple de la capitale, et des preuves suffisantes dans tout autre pays démontreraient que l'opinion publique ne s'est pas trompée, si le Gouvernement n'avait pas soin d'étouffer la voix par les moyens Machiavéliques qui lui sont familiers et qui nous ont été dévoilés !!! .

Il fallait qu'un nouveau crime vint donner

une capitale raison d'être à ce système d'intimidation mis en avant par un Gouvernement pusillanime, sans force par lui même et dominé évidemment par une faction hostile à toute fusion avec les étrangers.-

Le n'est plus un officier subalterne des Légations qui vient d'être immolé hier par ce fanatisme que bien des Princes Japonais réprouvent sans aucun doute dans leur foi intérieure, sans oser témoigner des sentiments que la saine raison inspire toujours à quelques hommes, même dans les Sociétés à l'état le plus complet de barbarie! - C'est un Secrétaire de Légation aimé des indigènes comme de tous les siens, qui vient de tomber victime de ce brutal aveuglement de quelques retardataires ou guerilleros, qui regrettent que le Japon soit sorti de l'état d'isolement dont l'énergie plus encore que les représentations des Puissances occidentales l'ont fait sortir en 1854 et 1858!

Cette politique aveugle ne doit pas être celle de la majorité des Daimios Japonais - Le Gouvernement en a fait l'aveu récemment en déclarant que la moitié d'entre eux est favorable aux étrangers. - Un haut fonctionnaire Japonais, intelligent et éclairé vient de mourir il y a quelques jours d'une mort toute mystérieuse - à coup sûr cet esprit élevé avait probablement compris quelle devait

être la véritable politique du Japon, bien qu'il lui vit la cause même des influences actuellement régnantes ; qui sait même s'il ne s'en explique pas avec trop de franchise dans les conseils de son Gouvernement.

La victime qu'on vient d'égorger sans défense ces jours derniers était elle d'avance désignée au fer de spadassins politiques, ou bien n'est elle tombée toute pleine de vigueur et de jeunesse que sous les coups nocturnes de quelques furieux avinés comme il s'en rencontre malheureusement parfois sur le chemin des casernes de Daimios Japonais ?

Pour ma part, je ne puis croire à cette dernière hypothèse ! Toutes les circonstances de ce meurtre exécrable prouvent à l'évidence qu'il y a eu préméditation et guet à pens froidement combinés et exécutés en pleine conscience !

Quels sont les coupables ? Qui l'avouera jamais ? Qui rendra jamais compte de ce sang innocent, comme de celui qui a été versé si souvent depuis 18 mois, tant que durera l'état actuel des relations équivoques du Gouvernement Japonais avec les étrangers.-

Les auteurs du dernier crime que nous déplorons étaient nombreux, préparés et déterminés, et plus encore la voix populaire affirme qu'il ne s'en trouvait pas seulement sur la place où le

meurtre a été commis, mais qu'un autre chemin conduisant également à la demeure de la victime était occupé aussi par des malfaiteurs armés.-

-Qu'il en fut ainsi ou non, on attendait évidemment dans une rue étroite et sombre le Secrétaire de la Légation Américaine, l'interprète intelligent des Traités conclus avec les Puissances occidentales.-

— Quelle a été l'attitude de ceux qui représentent le Gouvernement Japonais dans cette circonstance? — Au moment du crime un seul officier d'escorte a-t-il dégainé son arme pour défendre le malheureux étranger qui leur était confié?!-

Ils l'ont laissé lâchement mourir seul, ou tout moins ils l'ont abandonné le laissant seul sous le prétexte d'aller chercher du secours !!!

Ces gens ont eu peur.- Le Gouvernement Japonais tel qu'il est actuellement organisé a peur lui aussi — Si on ne peut en vouloir à des coeurs timides lorsqu'il s'agit de leurs personnes, il ne peut en être ainsi envers ceux qui ont accepté un mandat public, car tout mandataire doit compte de sa gestion; or en fait de sécurité diplomatique le Gouvernement Japonais est le mandataire des Gouvernements étrangers qui lui confient en dépôt leurs pavillons, leurs représentants et leurs nationaux

-Mais le Gouvernement Japonais fait plus que

d'avoir peur ! - il cherche à faire peur. En cela
du moins il est coupable !!

Convient-il à des Gouvernements tels que
les Nôtres de se laisser traiter en timorés par ceux
là, qui tremblant aujourd'hui devant quelques uns
de leurs frères trembleront aussi devant nous, si nous
leur demandons de quel droit ils prétendent diriger
nos impressions, modifier à leur gré leurs obliga-
tions envers nos Gouvernements et nous laisser égor
ger impunément un à un !

L'essai d'intimidation qui a été tenté sur la
tombe du Secrétaire de Légation Heurteau est une nou-
velle injure dont le Gouvernement Japonais nous
doit compte -

Au lieu de faciliter à la douloureuse Cérémonie
que nous accomplissions, son caractère de calme, de
regret et de dignité il l'a troublée par ses ridicules
communications ! - Le dernier essai d'une politique
inacceptable rend une leçon sévère indispensable,
car il constitue une insulte sérieuse aux pavillons
réunis autour de la tombe de la victime. -

En conséquence je formulerai la proposition
suivante sauf autre avis résultant de la Conférence

Le Gouvernement Japonais s'étant déclaré lui-
même incapable d'assurer la sécurité des Légations

étrangères à Yedo, autrement qu'en les confinant dans l'intérieur du Palais, les Représentants étrangers ne peuvent accepter cette proposition qui aurait pour résultat de les priver de toute communication avec les Nationaux qu'ils ont à protéger.

Les Légations Etrangères acceptent temporairement la résidence à Yokohama, où elles transféreront leurs pavillons jusqu'à ce que la réinstallation de ces pavillons puisse avoir lieu à Yedo de la manière jugée convenable et tous les conditions qui seront posées ultérieurement au Gouvernement Japonais.

Yokohama devenant la résidence temporaire des Représentants Etrangers sera déclaré point commun neutre et défendu par des forces mi-partie Japonaise, mi-partie Européenne - La ligne de défense par terre s'étendra du pont du "Tokaido" qui gagne la route de Yokohama jusqu'à "Treaty point" et aux collines environnantes

Le Commandant des forces Navales Européennes assurera la ligne de défense sur mer et prendra toutes mesures jugées nécessaires à l'égard des batiments de guerre Japonais.

Les rapports avec le Gouvernement et les relations commerciales ne seront point interrompues, le Gouverneur pourra résider à Yokohama, mais ses Officiers seuls porteront les deux sabres et des

marques distinctives apparentes.-

Leur nombre sera réduit au strict necessaire

Nul homme armé ne pourra franchir la ligne de défense – Toutes les armes saisies seront mises sous scellés,

La garde Japonaise portera un costume spécial.

A la première alerte tous les négociants occidentaux seront embarqués.

Une indemnité proportionnée aux pertes matérielles qu'ils éprouveraient comme aux bénéfices auxquels ils devaient s'attendre leur sera assurée en ce cas.

Le Gouvernement Japonais sera responsable de tout incendie dans les maisons des étrangers tant à Yedo qu'à Kanagawa, Yokohama et autres ports.

Le dollar devra être reçu partout à 3 itzebus.-

Les droits de Douane seront garantis au Gouvernement Japonais, mais une Commission Européenne en dirigera les opérations.-

(Signé) Duchesne de Bellecourt.
Chargé d'affaires de France.

Légation de France
au Japon.
Note pour la 2me Conférence
du 21 Janvier. Yedo le 20 Janvier 1861

Les dangers qui d'après l'aveu même du Gouvernement Japonais menacent les étrangers dans la capitale ne sont peut être pas aussi généraux ou permanents qu'on pourrait le supposer par l'exemple frappant des deux assassinats qui ont atteint nos Légations à si peu de distance l'une de l'autre; on ne saurait dire il est vrai avec raison que tout Etranger doit s'attendre inévitablement à une attaque lorsqu'il franchit le seuil de sa demeure.

Toutefois l'attitude actuelle et les démarches du Gouvernement ne tendent elles pas à nous persuader même malgré nous de la permanence de certains dangers? — Le Gouvernement nous en avertit lui-même par l'organe de délégués spéciaux — il nous entoure de renforts considérables de gardiens, de canons, de cavaliers; il invite nos Consuls à se retirer sur les bâtiments de guerre de leur nation ou sur les siens propres — D'autre part, malgré tout ce luxe apparent de précautions, nos protecteurs officiels sont notoirement incapables d'assurer notre sécurité lorsqu'elle est compromise — Ainsi la mollesse de nos défenseurs constitue un <u>danger</u>, —

N'est ce pas avec un profond sentiment de notre responsabilité que nous nous résoudrons désormais à laisser sortir de nos demeures diplomatiques nos employés ou nos courriers Européens même sous l'escorte des Yakonins Japonais?

Il y a donc danger pour notre liberté d'action, et si ces deux meurtres récents, sans parler des autres démonstrations hostiles dont quelques uns d'entre nous ont été plusieurs fois l'objet dans les rues de Yedo ne prouvaient qu'il y a réellement parfois insécurité pour les existences, le peu de confiance que nous avons en l'efficacité de la protection officielle que nous doit le Gouvernement Japonais serait un danger moral permanent, qui, joint au système d'intimidation mis en avant par les autorités indigènes aurait pour conséquence inévitable l'affaiblissement de l'action diplomatique tant dans la forme qu'au fond même, si l'état des choses n'était modifié

Sans doute, il n'y a pas à redouter à Yédo un massacre général des Etrangers, bien que le Gouvernement ait eu la coupable pensée de présenter ce fantôme à l'esprit des Représentants Etrangers dans la communication qu'il a faite à S E le Ministre des Etats Unis au moment où le Corps diplomatique se disposait à rendre les

derniers devoirs au Secrétaire de Légation Heusken, assassiné au milieu de ceux qui devaient le protéger!

Mais si un massacre général n'est pas à redouter, grâce au respect qu'inspirent encore les pavillons des Puissances occidentales flottant à Yedo, des attaques partielles toujours impunies pourraient décimer un à un et par intermittence de temps, ceux que nos Gouvernements confient à notre protection.

On n'oserait sans doute pas attaquer un Représentant Etranger — toutes précautions doivent être prises à cet égard par le Gouvernement régissant, tant est grande la responsabilité qu'il encourerait, mais on croira peut-être pouvoir laisser atteindre impunément comme jusqu'à ce jour ceux qui ne sont pas des Ministres, dans la supposition que de telles atteintes ne sont à nos Gouvernements que des blessures trop légères pour qu'ils les ressentent!

Il y a donc un double danger et matériel et moral.

Le danger matériel est prouvé tant par les aveux du Gouvernement que par deux crimes successifs! — Que dire donc de l'attitude passive de ce Gouvernement et du défaut de précautions prises aux funérailles de M. Heusken, alors qu'on nous menaçait d'une attaque, si nous pro-

sistions à accompagner la victime à sa dernière demeure?

Devons nous attendre un nouvel assassinat de ce genre pour demander compte au Gouvernement Japonais les meurtres commis sous les pavillons de presque toutes les puissances représentées à Yedo, meurtres toujours impunis comme le sera sans doute encore celui qui vient d'être commis sous le pavillon des Etats Unis.

Le danger moral réside dans le défaut de liberté que laisse à notre esprit ces continuelles perturbations, qui nuisent à l'accomplissement de nos devoirs!

Le Gouvernement Japonais est en ce moment en crise! Il flotte entre deux courants contraires. Malheureusement il est impuissant à remonter celui qui représente la partie la plus ardente de la réaction contre les étrangers.-

La faiblesse du Gouvernement est un <u>danger</u>! Nous lui avons laissé le temps nécessaire pour se fortifier — Comment a-t-il employé ce temps? — Les relations commerciales témoignent autant que les relations politiques d'une stagnation désastreuse pour ainsi dire par des manoeuvres occultes — Cette situation ne peut être modifiée que par d'énergiques représentations, par une démonstration de nature à faire cesser

pression sur les ennemis des Puissances Occidentales,
et à raviver la foi que met vraisemblablement
en Elles la partie éclairée et peut être plus nom
breuse que nous ne supposons de la Nation Ja-
ponaise!

Yédo le 20 Janvier 1864.

Signé/ Duchesne de Bellecourt
Chargé d'affaires de France.

Translation

French Legation in Japan.
Memorandum for the 1st Conference
of the 19th January.

Yedo the 18th Jany 1864.

The Foreign Representatives accredited in Yedo were officially informed in the early part of this month by the Japanese Ministers, that dangers threatened them & their people in the Capital and also in Kanagawa — the Ministers even requested them to take up their residence within the enclosure of the Palace and to cause the Consuls to withdraw from Kanagawa to Yokohama & onboard of their ships of war respectively, or on board of the Japanese steamers.

On being questioned as to the causes and extent of those dangers, the Japanese authorities avoided a definite statement; they simply mentioned that a large number of discharged officials (commonly called Louins) were running about Yedo & vicinity with the intention of murdering the foreigners, to attack the Legations & Consulates and to set fire to the foreign establishments at Yokohama.

They added that the Government in great anxiety as to this state of affairs had called upon

several Daimios, in whom they thought they could trust, and that those Princes had taken upon themselves to protect, some the Foreign Legations, and others the foreign establishments at Yokohama.

It is surprising that among the names of these Daimios are not to be found those of any of the powerful princes, who appear to exercise much influence in National affairs, such as the Princes of Kanga, Satsuma, Mito, Owari Kendai &c &c who maintain large numbers of Officials in Yedo.

It has also been remarked that no mention was made of the special military forces of the Tycoon on this occasion, which would lead to suppose, that the Government of that Prince has no special military force whatever at its disposal, by the aid of which he might ensure the protection of the foreigners in Japan.

The Foreign Representatives however have remained at their posts notwithstanding, and so with the Consuls, whom the Japanese Government had requested to withdraw to Yokohama.

The Government of Japan has not yet succeeded there in its attempts at intimidation of foreigners by so many Sinister warnings, repeated so often during the months of August & September

last, with the object no doubt of causing the Western Powers, either to give up certain advantages derived from existing Treaties or to abandon the idea of concluding further conventions—

Moreover, the backward weakness of the Japanese Government in securing the safety of foreigners, apparent from their make-believe measures, the absence of energy in the protectors, to whom they pretended to have entrusted the lives of the Foreign Representatives of the Western Powers has been fully shown towards the end of October last, by the attempt to murder the guardian of the flag (Marshall) of the French Legations who owing to his presence of mind and a pistol which he had about him, fortunately managed to escape certain death, only receiving a slight wounds.— The Japanese Government in that case did not hesitate to show more zeal in embarassing the course of justice than aid in throwing light upon it!

—A written correspondence upon that subject fully proves the timidity of the Japanese Government, not to say its connivence, forced or otherwise, with the perpetrators of that crime— In fact, the name of the Prince to whom the murderer of M. Natal belonged was publicly known among the people of the Capital; and in every other Country sufficient evidence would not be

wanting to prove that public opinion was not in error, if the Government had not taken care to smother its voice by those Macchiabellic means with which it is to familiar and which now stand unveiled before us—

It seemed necessary that a new crime should convince us that the system of intimidation pursued by a weak Government was still in force, and that that Government without strength of its own was evidently ruled by a faction hostile to all intercourse with foreigners whatsoever.

It is not now a Subordinate Officer who Yesterday was sacrificed by that fanaticism, which several Japanese Princes no doubt privately condemn, though not daring to give expression to sentiments, invariably suggested by common sense to some people, even among nations the most barbarous. — It is the Secretary of a Legation, beloved by the Natives and by all who knew him, who fell a victim to that Savage blindness of some proud anti-progressists, who regret, that Japan should have been drawn from that state of isolation from which the energy, much more than the persuasion of Western Powers caused her to emerge in 1854 & 1858.

This shortsightedness cannot be the policy of the majority of the Japanese Daimios — the Govern-

ment recently acknowledged that <u>one half</u> of their num
ber is favorably disposed toward foreigners — A high
and enlightened Japanese functionary died a few
days ago in a <u>very mysterious</u> manner. — His
higher mind had undoubtedly understood what should
be the true policy of Japan, though he did duty in
the cause of the prevailing influences; who knows
but what he even expressed himself with too much
frankness upon that subject in the Council of his
Government?

Was the defenceless victim recently murdered
designated beforehand to the steel of political ha.
tred, or did he only fall in the prime of Youth
under the blows of drunken maniacs, unfortunately
so frequently met with on the roads near the barracks
of the Japanese Daimios?

I, for one, cannot believe the latter supposition
All the circumstances of this execrable murder
tend to prove conclusively that there existed preme.
ditation and that he was waylaid & murdered in
cold blood & determinedly. —

Who are the guilty parties? — Who shall ever
make that known? — Who shall ever be held to
account for that innocent blood as for that which
has been shed so often during the last 18 months,
as long as the present undefined state of relations shall
subsist between the Government of Japan & the foreigners.

Those who perpetrated that deplorable crime were numerous, prepared & determined — moreover rumour says, that not only were they on the spot where the murder was committed, but than another road, leading to the residence of the victim was also occupied by armed ~~follows~~ felons. — However that may be, certain is it that they laid in wait in a dark and narrow street for the Secretary of the American Legation, the intelligent interpreter on the several occasions of the conclusion of Treaties with the Western Powers —

How did those act who represented the Japan Government under those circumstances?

Did a single one of the Officials, who composed the escort when the crime was committed draw his sword in defence of the unfortunate foreigner entrusted to them?

In a cowardly manner they left him alone to die! — or rather they left him alone, under pretext of going to call in assistance!!!

Those men were afraid! — The Japanese Government as at present organized is also afraid! However fair it be not to disturb timid people in a personal question, the case alters, when those people have accepted a public trust; trust implies responsibility; in fact of diplomatic security is the Government of Japan the trustee

of the foreign Govenments, who entrust to them their flags, their representatives & their people—

But the Govenment of Japan is worse than afraid! It seeks to frighten! - In this respect at least it is guilty.!!

Is it proper for govenments like ours to allow themselves to be treated as if they were afraid by people, who trembling to day before some of their Princes, would also tremble before us, if we were to ask them by what right they claim to direct our impressions, to modify their obligations to ward our Govenments as they please, and to assassinate us one by one with impunity?

The attempt at intimidation upon the grave of the Secretary of Legation Heusken is another outrage for which the Japanese Govern- ment must account to us.—

Instead of aiding us in the performance of a painful ceremony, they disturbed its quiet nature of horror and solemnity by their ridiculous communications — This last attempt of a distaste ful policy renders a severe lesson a matter of necessity, as it constitutes a serious insult to the united flags around the grave of the victim.

I therefore propose the following under advice to result from the Conference -

The Government of Japan having declared its incapability in regard to ensuring the safety of the Foreign Legations in Yedo in any other manner than by confining them within the enclosure of the Palace, the Foreign Representatives decline accepting that proposition, which would have for result to deprive them of all communication with the people of their Country, whom they have to protect.

The Foreign Legations will temporarily take up their residence in Yokohama, whither they will have for their flags, until such time as the reinstating of those flags can take place at Yedo in a manner deemed suitable, and on terms, which at some subsequent date shall be made known to the Japanese Government.

Yokohama, upon becoming the temporary residence of the Foreign Representatives, shall be declared <u>common or neutral ground</u>, and be defended by a military force, one half of which shall be composed of Japanese and the other half of Europeans.- The line of defence by land shall extend from the bridge which connects the <u>Tokaido</u> with the road to Yokohama to "<u>Treaty Point</u>" and the surrounding hills.

The Commander of the European Naval Force shall cover the line of defence by sea and take such steps as may be deemed necessary in re-

guard to the Japanese Vessels of war-

The intercourse with the Government and the Commercial relations shall not be interrupted, the Governor may reside in Yokohama, but his officers alone shall carry two swords and bear distinctive marks by which they may be recognized-

They shall be reduced to the number absolutely required-

No armed person shall be allowed to cross the line of defense - all arms seized shall be put under seal.

The Japanese guard shall wear a special uniform-

At the first alarm all the foreign merchant shall repair on board of vessels-

An indemnity for the losses actually suffered and also for those of profits which they could have expected shall be secured to them in that case-

The Japanese Government shall be responsible for all incendiarisms upon the houses of foreigners in Yedo, Kanagawa, Yokohama & the other ports.

The dollar shall have currency everywhere at the rate of 3 itzebus-

The Custom House duties shall be guaranteed to the Japanese Government, but a board consisting of Europeans shall have the management

of Customs Home Matters

(Signed) Duchesne de Bellecourt
Chargé d' Affaires of France

Translation.

Legation of France in Japan.

Memorandum for the 2nd Conference
of the 21st January 1861.

Yedo January 21, 1861

The dangers which, according to the acknowledgement of the Japanese Government beset foreigners in the Capital are probably not so general or permanent as the striking example of the two murders which affected our Legations at so short a distance from each other, might lead us to suppose — It cannot then be truly said that every Foreigner must expect an attack when he leaves his residence

Yet, the present attitude and the measures of the Government, do they not lead to convince us (even if inclined to think otherwise) of the existence of certain permanent dangers? That Government itself gives us the warning by their special Officers to that effect; they surround us by increased numbers of guards, fieldpieces & cavalry — they request our Consuls to withdraw onboard of their respective ships of war or onboard of their own steamers — On the other hand notwithstanding that display of precautions our official protectors are found to be sadly incapable to assure

our safety when it is compromised - In this manner the ~~weakness~~ inefficiency of our defenders constitutes a danger

Is it not involving us in serious responsibility when we shall in future determine upon allowing our employés or our European Countries to leave our official residences even under the escort of Japanese Yaconins?

Therefore our freedom of action is threatened and if these two recent murders, without mentioning other hostile demonstrations of which some of us have repeatedly been the object in the streets of Yedo should not prove that there really often exists insecurity of life, the small amount of confidence which we place in the efficiency of official protection due us from the Japanese Government, would establish a permanent moral danger which coupled with the system of intimidation pursued by the native authorities would have for its unavoidable result the weakening of diplomatic action as much ostensibly as in fact, if the present state of things be not modified -

There is no doubt that a general Massacre of foreigners in Yedo is not to be apprehended although the Government was guilty of representing the probability of such contingency to the Foreign Representatives in a communication addressed to His Excellency the Minister of the United States at the very moment

when the Diplomatic Corps prepared themselves to attend the funeral of the Secretary of Legation Heusken assassinated in the midst of those who should have protected him!

Though a general Massacre is not to be apprehended owing to the respect which the flags of the Western Powers in Yedo still inspire, Yet, stray attacks, always unpunished might decimate one by one and at intervals those with whose protection our Government have entrusted us?

They would certainly not dare attack a Foreign Representative - all necessary precautions on this head must have been taken by the Governing power alive to a sense of the responsibility then to be incurred, but they may be under the impression that the course hitherto pursued of attacking those who are not Ministers would not affect our Governments in a degree sufficient to afford grounds for enforcing a demand for Satisfaction.

The danger therefore is twofold - a real and a moral one.

The real danger is proven by the admission of the Government and by the two crimes in succession! What can we say then of the inertness of the Government and the absence of measures of precaution at the funeral of Mr Heusken, whence we were threatened with an attack, if we persisted in

accompanying the victim to his last resting place

Shall we wait until another murder of that kind take place before we call the Japanese Government to account for the murders committed under the flag of nearly all the Powers represented at Yedo, - murders remaining unpunished as no doubt will be the one recently committed under the Flag of the United States.

The moral danger consists in the absence of freedom under such constant vaudle in our minds, thus interfering with the discharge of our duties!

The Japanese Government at this moment is in a crisis - between two currents running in opposite direction. Unfortunately they are powerless in making headway against the one which represents the strongest party in favor of reaction and against foreigners -

The weakness of the Japanese Government is a danger We allowed them time to strengthen themselves! How did they employ that time?

The Commercial as well as the diplomatic relations furnish evidence of a state of stagnation ordered (to use that expression) by secret machination

This state of things can only be modified by energetic representations - by a demonstration calculated to make an impression upon the enemies of the Western Powers and to strengthen the faith,

which, to all appearance, is placed in them by the enlightened portion (perhaps more numerous than we may suppose) of the Japanese people!

Yedo. 20th January 1861

(Signed) Duchesne de Bellecourt

Chargé d'affaires of France.

Enclosure No. 2.
With dispatch No. 8.
dated February 13th 1861.

Compte. rendu of Conferences
held on the 19th & 21st of January
by the diplomatic Representatives
of Foreign Powers there in Yedo. Japan.

No. 16. Legation of the United States in Japan
Yedo, February 12th 1861.

Sir,

I have the honor to acknowledge the receipt of Your note dated the 22nd Ultimo, — transmitting a Compte-rendu of the Conferences held on the 19th and 21st of January at H.B.M's Legation in this city by the Representatives of the Foreign Powers there here.

The Compte-rendu correctly states that the American Minister was not present at the Conference of the 21st of January, but it fails to state, that he was not invited to asist at that meeting

You request me to sign a protocol to the effect that the Compte-rendu is a correct record of the conferences above referred to.

You must be aware that it is not in my power to certify to the correctness of the report of the Conference held on the 21st of Jan.y as the only knowledge I have of that conference is derived — from

Rutherford Alcock Esquire
H.B.M's Envoy Extraordinary
and Minister Plenipotentiary in Japan.

from the Compte-rendus itself.

The conclusions at which You and my other Colleagues arrived may be stated, as follows:

That no confidence can be placed in the good faith of the Japanese Government — that the members of the different Legations are exposed to assassination by remaining in this City; - and that for the double purpose of securing personal Safety and to produce a sensible effect on their Government, it is advisable that the Legations should retire to Yokohama.

It is my misfortune to be of a different opinion, and I will briefly state my reasons for that difference.

The Japanese Government has constantly warned the diplomatic Representatives of existing dangers, from the first day of their arrival in this City, and shown its anxiety to secure their protection.

It was only desired that the foreigners should use the same means of protection and precaution, which the Japanese invariably use among themselves; it is well known that those of a rank corresponding to that of Foreign Ministers have their houses surrounded by guards, large numbers of guards, and that they never go out without being accompanied by a numerous train of armed attendants.

Is it just therefore to require the Japanese to protect us with other appliances than those used for

their

their own Security."

If the Japanese were acting in bad faith. — if they really desired the assassination of the Foreign Representatives, a simple expression of such a wish would be sufficient, and the work would be done in a single hour.

We have lived in Yedo about 19 months in safety, and this fact is proof of the desire and ability of the Government to give us efficient protections. —

The murder of Mr Heusken, the able and faithful Interpreter of this Legation, which all lament and I deplore, was owing to his disregard of the reiterated warnings of the Japanese Government against his Constant exposure of himself at night; - and his death was the consummation of the fears that I have felt ever since my first arrival in Yedo.

In judging of the acts of this Government, it is of importance that the political antecedents be taken into Consideration; — for more than two centuries this Country was hermetically closed against foreigners; — this barrier so rigidly maintained is suddenly removed and the Country opened to foreign intercourse. — It is well known that a large party of men of high rank are opposed to this new order of things initiated by the Treaties and that in this City that opposition is Concentrated and felt in its greatest intensity; — the manifestations of ill will are principally confined to the followers of the Dimios, who present a reflex of

the.

the opinions of their Chiefs. — It is unquestionable in my mind that the enormous enhancement of prices on articles of general consumption consequent upon the admission of foreign Commerce, has intensified their feelings of opposition.

A Government may make treaties and observe their stipulations, but it is beyond the Power of any Government to control public opinion.

It strikes me that all the arguments at the Conferences referred to are based upon the assumption that the Japanese Government represented a civilization on a par with that of the Western World; — this is a grave error; — the Japanese are not a civilized but a semi-civilized people and the condition of affairs in this Country is quite analogous to that of Europe during the middle ages.

To demand therefore of the Japanese Government the same observances, the same prompt administration of justice as is found in civilized lands, is simply to demand an impossibility; — and to hold that Government responsible for the isolated acts of private individuals, I believe, to be wholly unsustained by any international law.

This principle is not acted on in the Western World. Not long ago a London jury exultingly acquitted a conspirator against the life of the Emperor of the French. — I did not learn that the French Legation at London retired.

retired to Dover in consequence of this failure of justice.

Again - in one of the greatest thoroughfares of Naples, the French Minister was savagely assaulted at - Midday, and although hundreds of people witnessed the assault, the would-be assassins effected their escape and to this day they have not been arrested.

Did the French legation retire from Naples in consequence of the failure to arrest the criminals?

In March last the Regent of Japan was assassinated; only part of the murderers have thus far been arrested and of those not one has been punished yet.

This delay in inflicting punishment on the assassins of one so exalted in rank as the Regent shows, that the Japanese mode of procedure is different from that of the Western World.

I desire to put on record my firm belief, that so long as I observe the precautions recommended by the Japanese Government and used by the Japanese themselves, my residence in this city is a perfectly safe one -

To retire to Yokohama with the intention of - producing an effect upon the Japanese Government will, I think, prove a mistake. - there was not one article of the American Treaty more difficult to obtain than the one securing a residence in Yedo of the Diplomatic Representative of the United States. - The Japanese Commissioners on that occasion warned

me

me of the grave difficulties which a residence of Foreign Ministers was sure to create in Yedo; — and they were very solicitous that I would accept a permanent residence in Kanagawa or Kawasaki with the right to come to Yedo, whenever my duty required.

This retirement of the Foreign Legations is exactly what the Government desire, as it relieves them from great anxiety, responsibility and expense; — and they state that the Legations can be more conveniently protected at Yokohama than in Yedo. — Instead therefore of the retirement giving a Concession to the Japanese Government, it will be held by them as a very desirable result, and I apprehend that a residence there will lead the Japanese mind to confound the Foreign Representative with the foreign trader; an effect which cannot fail to injure both his prestige and his influence.

For the reasons thus briefly set forth, I deprecate the action of my colleagues, believing as I do, that it will not produce any beneficial effect, and that it is an important step towards a war with this Country.

The people of Japan cannot be raised to our standard of civilization by the stroke of a diplomatic pen, nor even if they have 50000 Soldiers for their Schoolmasters; — It is only time, patience and forbearance that can produce this most desirable

result

result.

I had hoped that the page of future history might record the great fact, that in one spot in the Eastern World, the advent of Christian civilization did not bring with it, its usual attendants of rapine and bloodshed. — This fond hope, I fear, is to be disappointed.

I would sooner see all the Treaties with this Country torn up, and Japan return to its old State of isolation, than witness the horrors of war inflicted on this peaceful people and happy land.

Permit me to request You to transmit a copy of this note to Your Government to be annexed to the Compte-rendu of the Conferences held on the 19th and 21st of January.

I have the honor to be

Sir,

Your most Obedient

Humble Servant

(Signed) Townsend Harris

Minister Resident of the United States in Japan.

(A true Copy.)

A.L.C. Portman.

Enclosure No. 3.
with despatch No. 8.
dated February 13th, 1861.

Copy of Reply to letter from the British Minister of the 21st of January. and opinion on the course pursued by the Foreign Representatives in Japan.

Rec'd 18. May. Mr Chilton

No 9. Legation of the United States in Japan
Yedo. February 20th. 1861.

Sir.

I have the honor to inform You that the American Barque "Sinos" on a voyage from Shanghae to Hakodadi was totally lost on the 10th of January last.

I transmit herewith No 1., copies of two letters dated severally the 12th and 21st of January from the acting Vice Commercial Agent of the United States at Hakodadi, informing me of the arrival of the Captain and Crew of the "Sinos" at that place, with the particulars of the wreck. No 1

I have the honor to be
Very Respectfully.
Your Most obedient Servant

Townsend Harris
Minister Resident of the U.S. in Japan.

The Honorable Lewis Cass.
Secretary of State
Washington.

Yedo. February 20. 1861
Townsend Harris.
Minister Resident.

No. 9.

1 Enclosure.

Received.

In relation to the wreck
of the american Barque
"Sinos" off Hakodadi, Japan

No 3.

US Commercial Agency.
Hakodadi 12th January 1861.

Townsend Harris Esq.
Minister Resident
Yedo.

Sir,

I have the honor to acknowledge receipt of Your favor of December 11th and per same mail received also the Cover of State Department containing the new law giving Judicial powers to Consular Authorities in Japan.

I wrote to You last on 22d December. Information was received here yesterday of the wreck of American Barque "Timos", Bennett Master - bound into our port from Shanghai No particulars have as yet been received. - The Am: Schooner "C E Foote" was despatched to her relief at once. The wreck is but 12 miles from our city

No Official letters from this agency were onboard of H Brit: Brig "Camilla"

I have the honor
to be Sir,
Your ob Servant
(Signed) W R Pitts
Actg Vice Commercial Agent.

Yedo, February 20, 1861

US Commercial Agency
Hakodadi, 21st January 1864

J Harris Esq
Minister Resident
Jedo.

Sir

I wrote to You last on 12 instant — acknowledging receipt of Your favor of December 11th, and informing You of the wreck of american Barque "Tinos" of NewYork; at that time I had no particulars of wreck, — The Ship struck a reef of rocks, about 15 miles SW of this port on the morning of the 10th Inst, but owing to thick weather and heavy Snow, we heard no news of the Casualty until noon of the 12th inst. On the 13th Capt Bennett and his crew arrived at our port, entirely destitute, and Several of them severely frostbitten.

The Government here have acted with Considerable energy, and have afforded every assistance, both at the wreck and here that they could. — I shall endeavour to send the crew to San Francisco per Schr "CE Foote" now in port. Three of the

Seamen are however very Severely prohibited and will have to remain, I fear, for some time in the hospital here.

A Sale, at which the greater part of the things saved from the wreck were sold took place on Saturday (19th) and will be continued to day. The hull sold for $ 710.-

I have the honor to be
Sir
Your obt Servant
(Signd) H R Pitts.

Enclosure No 1.
with despatch No 9.
dated February 20th 1864.

Clerk of Acts Vice Consulate
Port of Hakodadi, Japan.
I hereby certify that the
annexed is a true Copy of
Mayor Dixon's Official Note.
and Copies of two letters dated
12th & 21st of January ult. respectively.

Rec'd 18. May. Mr Chilton.

No. 10

Legation of the United States in Japan
Yedo. February 25th, 1861.

Sir,

With my despatch No. 8 dated the 13th instant, I had the honor to transmit copy of a letter addressed by me on the 12th to Mr. Alcock the British Envoy.

I enclose No 1. copy of Mr Alcock's reply for your information. No 1

I was not inclined to continue a discussion, which would have been endless, and profitless on the points of difference between us, but as Mr Alcock saw fit to bring various grave charges against me, I felt constrained to reply to the matters personal to myself, which I did on the 23d instant, and I enclose herewith No 2 a copy of the same. No. 2.

I shall not permit myself to be drawn into an angry correspondence with him

I have the honor to be Sir,
Very Respectfully
Your most obedient Servant

The Honorable Lewis Cass
Secretary of State
Washington.

Townsend Harris
Minister Resident in Japan.

Yedo, February 25, 1861.
Townsend Harris
Minister Resident.

No 10.

2 Enclosures.

Received.

Relating to Correspondence
with Mr Alcock the
British Envoy in Japan.

H.B.M.'s Legation, Yokohama

No. 14. February 16, 1861.

Sir,

I have the honor to acknowledge the receipt of Your letter of the 12th. instant, which reached me on the 14th., in reply to my letter of the 22nd Ultimo, transmitting a Note - embodying a Compte-rendu of the Conferences which took place on the 19th. & 21st of January at Her Britannic Majesty's Legation in Yedo.

I have perused with attention the various remarks on the subject of these Conferences, and Your views on the policy You conceive to be most fitting in the present conjuncture on the part of Foreign Representatives in Japan. - And I have weighed them the more carefully, that - receiving them three weeks subsequent to the - Conferences, I conclude they must be the result of mature deliberation on Your part, and entitled to corresponding consideration on the part of Your Colleagues, to whom You have forwarded Copies.

Conceiving it could answer no useful purpose now to discuss with You the arguments advanced

Townsend Harris Esquire
Resident Minister of the United States
of America in Japan.

Yedo, February 20, 1861.

in support of Your views, I should simply — acknowledge receipt of Your letter; were there not certain Statements contained in it, erroneous I believe as to the facts, and various inferences, which besides being incorrect tend to cast — unmerited aspersions on myself and the Colleagues acting with me, and to misrepresent alike their motives and grounds of action. — As I am unwilling to believe such can have been Your intention, it seems but fair to both parties to point out papages referred to as sources of error. But in addition to this very sufficient motive, You have supplied another still more imperative in requesting that the letter containing them should be forwarded to my Government and be appended to the Compte-Tendu of the Conferences. — It is likely therefore to come under the notice of many besides the Members of the Government, too far removed from Japan and authentic sources of information as to the actual circumstances to avoid being misled by such Statements, if left uncontradicted. I am thus compelled to go over so much of the ground You traverse as may be effectual, to refute what I conceive to be erroneous and injurious, either in the facts or the inferences; and with the same explicitness and unhesitating frankness You have Yourself shown in dealing

with

these questions.

You state that You were not invited to the second Conference. This allegation is so Completely at variance with my impression, and a very clear recollection of all the circumstances, that I deemed it only fitting to obtain the evidence of those of my Colleagues Yet on the spot as to the facts. I enclose my letter to the French Chargé d'affaires and its counterpart sent to the Consul General of the Netherlands, together with their answers; which I think must suffice to set all question at rest in Your own mind; and prove to any third party that the statement was made under a total misapprehension as to the facts. It is clear that You had precisely the same invitation that every other Representative had, only enforced by arguments not required to secure the attendance of the rest. You had moreover a private note from me the intervening day, which may possibly have escaped Your recollection, inviting You to furnish me with a Memorandum or Minute of the views You might especially desire to see correctly embodied in the Compte-rendu, having reference therefore to the second Conference for which it was being prepared. - This note You neither acknowledged nor answered, and I, in common with the rest

of

of my Colleagues, was left in doubt therefore to the last moment, whether You would attend or not; so much so, that we waited nearly an hour beyond that fixed for the meeting. - If any want of courtesy, consideration or due notice could be shown to have existed, it could not certainly under these circumstances be laid to the charge of Your Colleagues. - In reason reference to the reason given for not signing the note embodying the Compte Rendu, I will merely remark, to prevent a further misconception which the tenor of Your remarks might otherwise create, that the document was sent to You with an invitation from all Your Colleagues to make any addition You might see fit, explanatory of Your part in the first Conference and of Your own views, to be appended in the form of a Note; and thus Completed You were further invited to add Your Signature; not with a view, as You incorrectly assume of pledging You to the accuracy of a Compte Rendu of the Conference at which You did not assist, but in token of Your cognizance of all the views of Your Colleagues; and as a correct statement of these and Your own, on a subject of deep importance, and of interest to all in Common. - The protocol did not preclude Your limiting attestation of Your Signature to

this

this much and no more; if You felt any Scruple, as to endorsing the declaration of the Representatives of four Treaty Powers, that the Compte Rendu was in effect a faithful and Satisfactory account of the views put forward in the Conferences by all the parties assisting - . It was considered an act of loyalty and Courtesy on the part of Your Colleagues due to Your position as the Resident Minister of one of the Treaty Powers who had joined the first Conference, and which not fitly have been omitted, to Send the document to You; while it remained perfectly open to You to decline adding Your Signature, as You have finally decided; or Signing, to refuse in any way to identify Yourself with their Subsequent proceedings and general policy. Having seen fit in the legitimate exercise of Your discretion not to Sign, I should have deemed it quite unnecessary to make any Remark on the Subject, had not Your mode of accounting for this decision Seemed to imply that Your Colleagues had the absurd pretention of making You responsible for the accuracy of a report of what passed when You were not present.

These two misconceptions as to matters of fact cleared away, I may proceed to the Remarks in which a Series of Conclusions are attributed

to

to Your Colleagues as matters of inference, which I must utterly disclaim, as erroneous and especially calculated to mislead any one not thoroughly conversant with the circumstances and the political situation: to mislead, both as regards the conclusions at which I and my Colleagues did actually arrive; and the grounds of action which have been put on record.

Those Conclusions You State were 1st That no trust could be placed in the good faith of the Government. 2ndly That the members of the different Legations were exposed to assassination by remaining in the City - 3rdly That for the double purpose of securing personal safety, and to produce a sensible effect on the Government, it was advisable that the Legations should retire to Yokohama: - And having framed these premises for the Foreign Representatives from whom You differ; You proceed to point out at some length, all the arguments and objections which preclude Your accepting them as grounds of action. But these conclusions are not those of Your Colleagues Although there is such a curious admixture of truth and error in the propositions they involve, that short as they are some analysis is required, satisfactorily to separate the two, and show the total fallacy of all that rests

upon

upon their Combination.- This is the more essential because there can be no doubt they are better calculated to mislead in this form, than if the proportions of either element were larger.

I believe in respect to the first, that no foreign Representative present shared in Your declared reliance, and perfect trust in the good faith of the Japanese Government. But there were various shades of divergence; and probably the Representative who distrusted the most, rather distrusted the effective action of those who might be regarded as the Government, than their good faith; and this distinction is broadly marked on the face of the record.

In regard to the second proposition or conclusion that the Members of the Legations were exposed to assassination by remaining in the City; if nothing were attempted or done by the Representatives Calculated to arrest the action of those who were carrying out a System of intimidation and murder. They were unanimously of opinion that a policy characterized by passive endurance, unlimited forbearance, and a blind trust in professions constantly belied by events, if longer persevered in, would lead to the most fatal result.- This was the conclusion at which all Your Colleagues arrived;- Something very different

as You will observe from the Conclusion You have attributed to them, divested of the additional clauses essential to its Completeness.

You state in connection with this part of the Subject, that You have lived more than nineteen months in Jedo "in Safety", and add that You firmly believe, as long as You observe the precautions recommended by the Japanese Government and used by themselves, Your residence in the City is a perfectly safe one. And as this appears to me to involve many grave errors both of fact and inference, to which may be attributed not a little of the divergence of opinion between You and Your Colleagues, I trust You will permit me without offence to state what I conceive those errors to be and the grounds of my Conviction. - In my humble opinion You cannot in any ordinary use of the terms be said to have lived in Safety, for You have lived under a Continual menace of violence and assassination - Granting to the fullest extent Your argument that had the Government wished it, we might all have been swept off in an hour; and the proof this may be taken to afford that they never had wished, or in other words decreed it, it leaves the Conclusion of a real and a bona fide danger existing,

untouched

untouched.- How many powerful Daimios are there resident in the City of Yedo with hundreds, not to say thousands of devoted Retainers at their back, who are known to be hostile to Foreigners, and the whole policy initiated by the Treaties? Are there no grounds for believing that even the party which there have displaced, seekly the murder of Foreigners to create a danger to their triumphant adversaries? Does it admit of question, that if any of those Rulers of the land, for such they are in effect, but call them Daimios & Feudal Chiefs, only if You will, had anytime in those nineteen months given the Signal for Your murder, or that of any other Representative, to his own followers or other havoes always available, that he could not have secured it, as certainly as that of Your Secretary (all measures or shams of protection by whichever name most fitly characterized to the contrary notwithstanding) and that too, either in the streets by daylight or in Your own residence? Or is it at all doubtful that it would have been accomplished with perfect immunity from punishment or pursuit on the part of the Government?

I too have lived nineteen months in Yedo, and the only difference between us is, that

I have gone much more abroad in the City and surrounding Country, more exposed perhaps but also with larger means of observations; and I have seen enough to satisfy me, that neither You nor any member of the several Legations ever left their residence in all that period, without risk of being insulted by these same Daimios Retainers and other two Sworded Gentry insulted, cut down or murdered in the public thoroughfares, and in the light of the Sun; - without let or hindrance from the Government or the laws. - Is this matter of question? How stand the facts in support? I will not speak of a Series of assassinations by daylight and by night at Yedo and at Yokohama, during this 19 months of Safety, up to the end of last Year. - and preceding this last Combination of murder and intimidation inaugurated on the 1st of January by a formal announcement of the fact by the Government to You while at Kanagawa and subsequently to Your Colleagues. - But in that interval had Your unfortunate Interpreter and Acting Secretary not often been the subject of insult and assault in the streets and by day? - Have not You Yourself been assaulted by one of these two Sworded Retainers, in Your own Court Yard

and placed in bodily fear of Your life, compelled to cry aloud and cry in vain for assistance from the Japanese attached to the Legation for Your protection, though several were close at hand? Were You not warned by the Government that if You prosecuted Your assailant, You would be in danger of a vendetta from him or his companions, which would very likely cost You Your life? Can this be rightly called living in Safety? And may I not say with truth that this Conviction of perfect Safety is scarcely Consistent, or indeed to be reconciled with facts in Your own experience? And again when You admit that this Safety (such as it is) must be contingent upon the adoption of all the precautions recommended by the Japanese Government; Can You have forgotten what these have at various times amounted to? After de Gotiro's death were not the Legations requested "while danger lasted" (a particularly indefinite term in Japan) to confine themselves within the walls of their Residences? More recently still, that we should all take refuge in one building within the Castle precincts? Where these precautions and restrictions would stop could any one say? Such as had already been proposed were deemed inadmissible by

You

You in common with Your Colleagues.. And can a residence under such multiplied and increasing restrictions, obviously destructive of all free intercourse with the people and liberty of circulation, be reconciled with the conditions of freedom and independence, not only due by the Common law of Nations to a Diplomatic Agent, but essential to any influence of the Representative, or respect for the Nation he represents? I think not, nay I am sure of it; and so are all Your Colleagues, upon very sufficient experience of the past.

Let us pass on to the third of the propositions You attribute to the Foreign Representatives, not in accord with Yours. - You state that for the double purpose of Securing personal Safety, and to produce a sensible impression on the Government, it was deemed advisable that the Legations should withdraw to Yokohama. - This is true, as far as it goes; but totally misrepresents the truth if other essential particulars are omitted.

Certainly in any measures to be adopted, greater Security to life was contemplated as a necessary result; and if Security generally, the Ministers must of necessity share in the benefit.. But it is strangely to misrepresent the objects of Your Colleagues, as there were

declared

declared and made known to You, and as they stand distinctly recorded in the Note, which if You did not sign, it is at least to be presumed You must have read, - to state or imply, that it was their own personal safety, - either mainly or exclusively that was the object of any proposed Course. The withdrawal from a false and derogatory position as Diplomatic Agents, - one rendered untenable with due regards to the interests and dignity of their respective Nations. - the improvement of this position, - and among the first condition of such improvement, the greater security of all whose lives and property were threatened at the Ports, not less than at Yedo, and more especially at the neighbouring port of Yokohama, where an attack was menaced; - These were the real, the principal and the declared objects of the Foreign Representatives, and I protest in their name and my own against Your assuming & attributing to them, as a leading, if not the sole motive, a regard for their own personal safety. - I deny Your right to draw such inference in contradiction to the views stated at the Conferences, and recorded in the Compte-Rendus. I say for myself, it is unfounded in fact; and I firmly believe it is equally untrue as regards my Colleagues. - The life of a Public Servant is

not

not, I conceive, altogether at his own disposal. He is bound either to risk or secure it, according as his line of duty, and the interests confided to his charge may demand. - And assuredly the life of a Foreign Minister and Representative in Japan becomes a serious charge, and a responsibility not to be lightly dealt with in either direction. If his presence at a particular post is required to vindicate the rights secured by Treaty, or affirm a principle; and this can only, or best be done by risk to his own life; and more especially, if the abandonment of such rights or principle, must be the consequence of retiring from the Port assigned him by Treaty. - there he must be found. His retirement under such circumstances would be an indelible disgrace. Yet assuming the premises you do, this is what you lay to the charge of your Colleagues, so far as your opinion goes; though I cannot think this was your intention. - But if loss of life threatened a greater danger to the National interests at stake than the temporary change of position of a Minister, it is very evident that the same sense of duty which would retain him in the one case, would compel him to withdraw in the other; - not for the sake of his own personal security, but as a means to the

defence.

defence, or advancement of the interests confided to him. - And it was in this position that Your Colleagues conceived themselves placed, and bound to withdraw. - On the other hand to attribute this to a regard for their own personal safety, I think You must see is to take it from its proper ground, and shift it to one infinitely lower, if not wholly unworthy; and an act of which they may very reasonably complain. - In conclusion then, Your Colleagues were of opinion that life was insecure, their own and everybody elses, both at Yedo and at the Ports: - That their insecurity could only be expected to increase, unless measures were taken by the Foreign Representatives, calculated to arrest the course of assassination, and rouse the Executive to a sense of the danger, which menaced the Country in the persons of those who were menaced with massacres: and that Safety was not to be secured by complying with the restrictive measures sought to be imposed by the Japanese Government as its condition, because, while ignorant of what the extent of these might be, those already proposed were inadmissible, — Consistent with a due regard for the interests and dignity of the Nations they represented; and incompatible with any influence or usefulness

or

on the part of Diplomatic agents thus circumstanced.

When You state as the second part of this proposition, that it was deemed necessary to produce some sensible effect upon the Government, a Government (which so far had proved insensible alike to remonstrance, protest and persuasion) it should also have been stated that it was very emphatically and distinctly declared, as one of the conclusions arrived at in connection with this view, that the means adopted for the specified end, should be such as should involve neither menace nor violence; and above all, that the whole object and policy of the — Representatives then agreed upon, was to avert the chances of a Collision or war - by every means in their power.

How is it possible with these opinions, objects and views, all distinctly enumerated by your Colleagues, that You could proceed to characterise them and their proceedings as promoters of war and its attendant rapine and bloodshed.? There may be a difference of opinion as to the means best adapted to avert such calamities, or to attain any specified end; but such difference can in this instance afford no justification for your attributing to them something directly the reverse of what they declared to be their

object.

object. – And this in effect You do, for although it may be true You merely speak of war and its attendant calamities as the results of the action taken, yet You speak of them as so obvious and certain, that Colleagues with any degree of intelligence cannot be supposed so utterly blind, as not see such very manifest consequences.

So far as I myself am concerned, however, I yield to no one in the earnestness of my desire to prevent the infliction of war on a "peaceful people and a happy land" and I agree with You in so regarding Japan as a whole. I am possibly more ready than you yourself to advise a renunciation of all Treaties and intercourse with this Country, and probably see more reason to doubt the wisdom, and question the policy, which dictated measures for opening it to Foreign Nations, ill prepared as it is for such changes and sacrifices as this necessarily and obviously must entail. – If then there were but two alternatives, war or withdrawal, one or the other being inevitable, I repeat there is much that would recommend the latter to my conscience and my judgment, as the lesser of two evils. – But while I question Your right to any monopoly of such feelings and opinions, I do not feel at liberty to charge you with –

being.

being animated by their contraries, - even though you are following out a policy and a course of action which is of all others in my humble opinion most calculated to bring matters to that pass, where Foreign Powers, one or several, must make their election, and either fight or retire altogether. - I believe firmly, after more than eighteen months trial of what patience, a large consideration for inherent difficulties, something that may even have been mistaken for a tame submission to wrong; or at all events, a policy of endurance and non-resistance which had no limit, that we have abundant evidence of such persistent encroachments on the rights of Nations, in the person of their - Diplomatic agents in the Country; such Systematic resort to intimidation and violence, and general tendency to grave deterioration in the position of Foreigners and the policy pursued towards them, either by the Government or with its cognizance; above all as regards the one condition on which all others hang: - of security to life & property, that nothing but further loss of life and destruction to all the interests at stake, and at no distant date can be reasonably anticipated, unless means are found to modify that policy, and improve our position in Japan, - that of merchants

and Representatives alike. - I believe no less firmly that a longer perseverance in fruitless protests, - unheeded remonstrances and claims for redress. to which no attention is ever paid; redress and protection always demanded with more or less of unanimity & urgency after each outrage and assassination. and always in vain, to be met only with hollow professions and empty promises (or by such shams as the whole System of Jacobinism has proved in all that concerns effective protection, though sufficiently real as a means of interference and espionage) I say continued perseverance in this course, which as I understood You at the Conference, was all You had to recommend, would in my conviction directly tend to precipitate the Catastrophe You, and not You more than others, so earnestly deprecate. - And this is the conclusion at which all Your Colleagues arrived, with a - perfect unanimity and accord as to the result, the more convincing that it was the result of — independent processes of deduction and argument drawn from facts in their own experience. - Who may be right, You or Your Colleagues, is not exactly the question here; but the obligation on all, between whom there is a difference of opinion, not to attribute views or conclusions which are not theirs; or to deny to them the

Same

same earnest desire to promote peace, and the best interests and well being of the people of Japan, which you claim for yourself. - In truth, I feel constrained to say, this sort of - sweeping charge against your Colleagues of a tendency to provoke war, comes the less happily from the Minister of the United States, that I believe he is the only Foreign Representative, who during the past eighteen months has ever directly menaced this Government, not only with war, but a war that should strike at the root of all existing institutions and relations of Society, by attacking the Daimios and calling in the people, or restoring the Mikado to a real Supremacy. - I have it from Yourself, as had one other at least of your Colleagues, that in an interview with the Foreign Minister no so many months ago, & in the presence of all his Officers, You declared to him with every emphasis of word and gest, that unless their policy were altered, they would provoke such a war on the part of the United States. You evidently saw reason then to be exceedingly - dissatisfied with the progress of affairs and the execution of the Treaties, in which I entirely agreed: and I confess I am at a loss to conceive in what matter can be held to have materially improved? I have certainly never gone so far myself.

myself; though about the same time I gave them plainly enough to understand, that a continued & systematic violation of Treaty rights, & especially a denial of justice & protection to life & property, must inevitably lead sooner or later to war. I merely cite this to prove, that when You were not as thoroughly satisfied as you appear to be now with the march of events & the conduct of the Government, You contemplated war as a justifiable means to the end, a war à Outrance; a war of a servile & revolutionary character, - superadded to the horrors of a foreign war; - and therefore, though far from questioning the perfect sincerity of Your present declaration that You would sooner see all the Treaties with this Country torn up than witness the horrors of war inflicted on this peaceful people & happy land," I cannot help remarking that you have not always - entertained these views, or acted quite in - accordance with them. - If You see reason to be quite satisfied with Your position, together with that of Foreigners generally in Japan, & of the relations of the Government towards them at the present moment, as Your letter would seem to indicate, You must nevertheless admit, there was a time not very remote, when your views much more nearly accorded with those now held

by

by Your colleagues, & You were prepared to invoke those very horrors You now so feelingly deprecate & denounce. - I think I am entitled to conclude therefore, that if we have the misfortune to differ on the present occasion, it is rather You, who have changed views previously entertained & acted upon - not I or Your Colleagues. - I can see no change in the circumstances except for the worse - There has been more of that patience & forbearance You so earnestly recommend & also more intimidation, assassination & incendiarism; more attempts at restrictions; official interference with the trade of the Merchants & the independence of Foreign Representatives; - more promises and professions, & also more emphatic evidences of their hollowness in the passing events.

There are many other points in which You either directly or by implication, - no doubt unintentionally, but not the less plainly and effectually, misrepresent the views, or misconstrue the action of the Foreign Representatives from whom You differ; while even in matters of fact bearing upon these, I cannot help concluding Your information is at fault that greatly misled You.

You state for instance that it strikes You all the arguments used at the Conferences are based upon the assumption that the Japanese Government

presented a civilization on a par with that of the Western World" which would be as you observe, a great error. An utterly unaccountable error, I will add, in Representatives having daily before them the evidences of a very different state; and scarcely less absurd than the demand for "the same observances and prompt administration of justice as in other more civilized lands, which You also contribute to my colleagues and myself, or the pretension to hold them responsible in a way utterly unsanctioned by Western International law, for isolated acts of private individuals. I feel strangely at a loss to conceive from whence you have drawn these conclusions. - They are certainly not to be found in the official "Note" to which you are referring.

So far as my own arguments or line of conduct are concerned, I have simply to assure you, they are founded on none of these hypothetical assumptions. - But that the rulers of Japan should be made to respect the stipulations of Treaties and not deliberately or systematically violate them: that they should cause life and property to be respected, and secure both by means not less prompt and effective, than they adopt when they themselves are concerned, may reasonably, I think

be

be required, nay must be required, if any relations
Diplomatic or Commercial are to be maintained.
I think they may reasonably be required, because
whatever may be our respective opinions on the
kind or degree of civilization, it is impossible
to doubt that it is such as to furnish the means
of meeting these equitable requirements. - But
You think they have done all that is necessary,
or otherwise possible, to shield them from reproach,
or further pressure; and instance the escape of
the assassins of the Gotiro to prove that they are
as powerless to ensure the apprehension of -
murderers when they themselves, the Rulers of the
land fall victims, as when foreigners are selected.
I read this statement with great surprise. - I
have it from Officers high in the service of the
Government, that not one escaped; and I
believe within six weeks of the crime, all not
killed on the spot, had been seized, judged
and executed. - Such also is the popular belief;
universally spread. So far as we can judge. As
to the responsibility of the Government therefore
in regard to the isolated acts of individuals, I
deny in the first place, that the murders and
outrages against Foreigners are the isolated
acts of individuals, or can be so regarded in
face of the evidence of a political bearing, and
a

a sequence in these various crimes, which link them together. I do not deny that You may be right in your view; I merely speak of what is the conviction, underwhich I and my colleagues are acting. So in reference to their powers of repression and punishment; I think the case You instance is one in point to prove the opposite conclusion.

As to these acts of murder and successive outrages, be they isolated or a part of a series perpetrated in furtherance of a Policy - and the application of International law; I think You are mistaken in assuming that a principle has been invoked not recognized in the Comity of Western Nations, a habitually acted upon. In the most normal state of Society there is a generally recognized doctrine, that people ought to guarantee to each other the enjoyment of life & property against the attacks to which private passions usually expose them. And - although there is a considerable difference between the morality of different ages and Nations, there is a sufficient degree of resemblance in these broad principles, to justify an appeal to them in Japan.

Let us see then how this bears upon the present argument. - First as to what I and my colleagues.

Colleagues contend for; and secondly as to the application of the two examples you cite, as instances in point. - I claim on the part of the Japanese Government all the efforts in their power to repress and punish crime directed against the life or property of foreigners: thus as the lowest estimate of what this should be. I take their action when Japanese are the parties menaced or injured. - I say the lowest, for I am by no means prepared to admit, that they may not be rightfully compelled to make greater efforts, should these prove habitually inadequate. - And when I find that in no one instance, out of more than a dozen cases of assassination or murderous assault and incendiarism, they have taken effective steps for tracing the criminals and bringing them to Justice, I doubt their having in good faith employed all the means at their command, or if they have, I see the necessity for improvement, and do not see its impossibility.

In any case, I presume you will admit they are responsible in some sense; - and in some degree, both for repression and punishment. - When you instance the case of a Frenchman in England, tried on a charge of plotting against the life of a Sovereign, whose residence was in another

country - (cited to prove that Western Governments do not hold each other responsible for isolated acts of individuals) I cannot help observing You seem to me to have been singularly - infelicitous in the choice of Your example. When You say a London jury cavilingly acquitted a conspirator" against the life of the Emperor of the French - You beg the question, and assume the very fact which was before the Jury; who acquitted him, permit me to remark, not as a proved conspirator on the evidence brought before them, but as an individual against whom no sufficient evidence of his having violated the laws of the land had been adduced. - To make the case in the slightest degree parallel, or bearing upon the present argument, - the Frenchman should in the first place have been a native, - and at all events the Personage whose life was menaced, should have been in the Country and living under the protection of its laws (for laws are not generally made to reach Offences contemplated by aliens, against the lives or property of those who do not live within the territorial limits to which Municipal laws apply); and the Government should have taken no step in to far as the laws would sanction either for- repression or punishment. - But so far from this.

they not only prosecuted, but subsequent to the trial brought into Parliament a new law of wider reach; and the Ministers of the day went out of power in consequence. - Again in the case of an assault on the French Minister at Naples. - true the apailant escaped; but You forgot to add, that so far from the Government being held irresponsible, or denying its - responsibility, it immediately declared its readiness to give whatever satisfaction France might deem it right to require. - Again as to the degree of civilization and the observance, to be expected or exacted, I cannot but feel surprised at the reproach Your letter would affix on others, of an overstrained estimate of what is due, or could reasonably be asked of the Japanese. This might surely have been more naturally attributed to the only Foreign Minister who has ever felt called upon, since the Treaties came into operation, to enter into long and irritating discussions, (prolonged through several months indeed) with this Government about etiquette and observances omitted or violated at an audience of the Representative of the United States with the Tycoon and the only Representative who on an interview with the Foreign Ministers at Yedo.

has had to complain of what he deemed an insult, offered to him in their presence by one of the Governors, so grievous, that he felt compelled in vindication of his position and the respect due to his nation to threaten to withdraw if the officer was not made to retire. These are facts I have from Yourself, come formally and officially communicated, and none under any seal of secrecy. Herein I conceive no indiscretion or breach of confidence therefore in my appealing to them as proofs, that some kind of civilized usage and attention to observances You have insisted upon as due to Your position, and needful to its maintenance - You are certainly more open than Your colleagues then, to whom such painful experiences have never occurred. to a charge, which I am very far from bringing, let me add, of exacting observances out of keeping with the civilization of the people, for I believe You were perfectly justified in all You did in both cases; and that thanks, not reproaches were due to You from Your Colleagues. I merely refer to the circumstances to show, that the facts ill suit with your theory, and that Your Colleagues instead of Yourself, — entertain such notions as are attributed to them in respect to the observances to be expected or — required.

required from the Japanese.

Other points yet remain to which I might advert as being in my opinions more or less erroneous; but I prefer closing a discussion, the prolongation of which is unnecessary for the purpose I had in view, and which was simply to vindicate myself and the Colleagues with whom I am acting from charges and misconstructions of an injurious character. - You and I, unfortunately as I conceive for the general interests hold different and to all appearance irreconcileable opinions. But facts generally admit of being tested and proved by something in the way of evidence; while conclusions based upon them can be satisfactorily dealt with as borne out or otherwise fallacious; and it has been my wish to refer to both, merely so far as might be essential to show, where error or injustice existed, & not to call in question Your intentions & motives, or to expose Your action to misconstruction. Having done this, I have only to add, that Your letter & Your request shall be forwarded by an early opportunity to Her Majesty's Government, that it may be attached to the Compte-rendu together with a copy of this my reply.

I

I have the honor to be &c
Sir
Your most Obedient
Humble Servant.
(Signed) Rutherford Alcock.

H B M's Envoy Extraordinary
& Minister Plenipotentiary
in Japan.

Enclosure. No 1.
with Despatch No. 10.
dated February 25th 1861.

Reply of Mr Alcock to letter
of Mr Harris of the 12th February.

No 20. Legation of the United States in Japan
Yedo, February 23rd, 1861.

Sir,

I had the honor to inform You in my note of the 20th. of the receipt by me on the night of the 18th. of Your letter of the 16th instant.

I have given it that long and careful consideration, which its great length required and its importance demanded.

I do not see that any good can arise from a prolonged discussion of the grounds of the difference of opinion, which unfortunately exists between us, and I therefore with all due respect to You, leave that part of Your letter unanswered.

There remains however one point of fact and various references to my personal action, to which I feel constrained to reply, but before entering on those, I desire to disclaim in the broadest manner any intention to reflect on the action of my colleagues, or to cast any aspersions on their motives. - Differing widely from them, it was incumbent on me not only to state my opinion but

Rutherford Alcock Esquire
H.B.M's Envoy Extraordinary
and Minister Plenipotentiary in Japan

but also to point out the inconveniences that I believed would attend their course of action, and I had no thought of reflecting on their motives or their action.

In my note to You of the 12th inst. I stated that the Compte-Rendu of the Conferences held in this City on the 19th and 21st of January failed to state that the American Minister was not invited to attend the latter Conference.

In answer to this Statement You reply that an invitation was given, and in proof of the correctness of Your recollection, You transmit copies of letters from Mr de Bellecourt the French Chargé d'Affaires and Mr de Witt the Netherlands Consul General.

At the close of the Conference of Jany 19th You suggested the propriety of drawing up a Compte-Rendu of the Conference and kindly undertook the labor; You further suggested that a meeting be held on the 21st of Jany to consider the Compte Rendu and to verify it by a protocol to be signed by the Foreign Representatives. Not one word was said in my hearing of an intention to reopen the discussions at the next meeting; had any such intimation been given to me, I should have deferred a meeting with the Ministers for Foreign Affairs, which had been appointed for that day

and

would have attended the new Conference.

That my view of the nature of the intended meeting was correct is fully borne out by Mr de Rellecourt in the following extracts from his note to You dated the 15th inst.

"il s'est agi d'en rédiger un procès verbal
"et après diverses propositions il a été ~~reconnu~~
"convenu que l'exposé présenté avec tant de-
"lucidité par Votre Excellence sur l'état anormal
"des choses au Japon serait consigné dans un
"Compte-rendu dressé par vos soins Monsieur le
"Ministre et où vous reproduiriez les propositions
"émises par les cinq Représentants; il a été enuite
"convenu que le Compte rendu serait présenté à
"notre adoption dans une nouvelle réunion, qui
"aurait lieu le 21 à la même heure"

And further:

"Il était donc bien entendu que la 2de conférence
"aurait lieu sans autre convocation, non pour
"discuter de nouveau, mais pour entendre la
"lecture du Compte-rendu de Votre Excellence et
"y apposer nos signatures.

No reference is made to anything to be considered at the meeting to be held on the 21st beyond the adoption of a Compte-rendu to be presented for approval.

The note of Mr de Witt states the admitted fact

that a meeting was to be held on the 21st of Jan.y but less explicit than Mr de Bellecourt he does not state the declared object of the meeting.

I am willing to believe that the reopening of the conference was an afterthought, and that there was no original intention of excluding the Minister of the United States from the discussions then held.

Had I been informed of the intention of continuing the discussions, I should have felt it my duty to attend, and my presence might have prevented the utterance of the peevish remarks, words in the Compte-rendu to the effect that the action of the American Minister would lead the Japanese Government to resist the pressure about to be brought upon them by his Colleagues.

On folios 39 & 41 of your letter you state that I threatened the Japanese with war on the part of the United States! a war that should strike at all "existing institutions of Society" You add that I "contemplated a war à l'outrance, a war of a "servile and revolutionary character superadded to "the horrors of a foreign war"

A very few words will be sufficient to ventilate this absurd charge.

Up to the month of December 1859 the clauses of the Treaties granting freedom of trade were

virtually in abeyance. Finding our written remonstrances did not produce any effect on the Japanese Government, it was agreed by You Mr de Bellecourt and myself, that we should have interviews with the Ministers for Foreign affairs, at which we should point out to them the inevitable consequences that must follow the policy they were then pursuing. - You had the first interview but nothing was accomplished. - On the 13th of December, I had an interview with the Ministers; On that occasion I pointed out to them their infractions of their Treaty stipulations and I concluded by warning them that the various Treaty Powers would not permit them to trample on their Treaty obligations; that war would be the inevitable consequence of their present policy. - I also warned them that if a war did take place that the Representatives of the Foreign Powers would only negotiate with the Representatives of the Mikado, and that this would overthrow the Governing power then exercised by the Dimios with the Tycoon as their Representative.

I aver that I never used any of the expressions You attribute to me and I also declare that I never either in writing or orally, either officially or privately informed You or any one else that

I had used threats such as you attribute to me or anything analogous to them.

I beg to add for your information that the Representatives of the United States have not the power of making war; (that is wisely placed in the hand of the President and Congress) nor can they so embroil their country, that it must either prosecute an unjust war, or submit to a loss of honor.

From folio 87 of your letter I make the following extract:

"You are certainly more open than your "colleagues — to a charge, which I am "far from bringing, let me add of exacting "observances out of keeping with the — "civilization of the people".

In this you refer to the discussions which were had on after the 7th of Novr 1859 on the subject of the ceremonial observed at my second audience.

My first audience of Hall the Tycoon took place on the 7th of December 1859 — all the ceremonial then observed, save one point, — the manner in which I should salute His Majesty. — was settled by the Japanese themselves.

At my second audience, which took place

on

on the 5th of November 1859 there was so marked a difference in the Ceremonial and so wide a departure from that observed at my first audience, that I had no doubt of its being intentional on the part of the Government and that they meant to place the Representative of the United States in a humiliating position in the eyes of the Japanese people. — Acting on this belief I demanded as a redress for the slight put upon me that I should have a new audience, at which the same ceremonial should be observed as that used at my audience of December 7. 1857. - This was all I ever demanded and it was conceded to me.

Your insinuation that I endeavored to "exact "observances out of keeping with the civilization "of the people", being without any foundation, it falls to the ground.

I am the more surprised at Your failure of memory in relation to this matter, when I call to mind the fact that You were consulted by me in every step which I took in this behalf.

You endeavor to impugn my statement that we have lived in Yedo about 19 months in Safety "by asking the following questions

"Have not You Yourself been assaulted by "one of those two-sworded retainers in ~~Yedo~~ Your own

"own Courtyard, and placed in bodily fear of your
"life? - Were You not warned by the Government
"that if you prosecuted Your afailant, You would
"be in danger of a vendetta from him or his
"Companions, which would very likely cost You
"your life?"

A drunken Yatonine did jostle me as I was proceeding to my house on the 29th of December 1859, and it was no doubt a technical afault, for which a jury in my Country would have awarded me a farthing damages, had I applied for redress.

To admit that a man in the last stage of intoxication put me in bodily fear of my life would be to impeach my own manhood. The "warning" of the Government "find a ludicrous answer in the fact that the "warning" was simply the volunteer advice of an Interpreter - My afailant was promptly arrested and speedily punished.

In my answers to the personal attacks on me. I have not been compelled to trust to my unaided memory, as all the material facts I have used are contained in the Archives of this Legation

I have read with great Surprise and deep regret your declaration that You feel authorized

to make use of my private conversation with You because You were not placed under the Seal of Secrecy.

I must decline following Your example, believing as I do that it is calculated to destroy all confidence between man and man and to make Social intercourse impossible.

I am fain to believe that the expression escaped You in a moment of excitement, and that cool reflection will cause You not only to regret but to retract it.

I have transmitted a copy of the Compte-Rendu to my Government, and I shall also transmit a copy of Your letter of the 16th inst.

Permit me to request You to forward a Copy of this note to Your Government.

I have the honor to be

Sir,

Your most obedient

Humble Servant.

(Signed) Townsend Harris.

Minister Resident of the United States in Japan.

Enclosure No 2.
with Despatch No 10
dated February 25th 1861.

Reply of Mr Harris
to Mr Alcock the British
Envoy. – Refutation
of Charges.

Rec'd 14 June Mr Clarke

No. 11. Legation of the United States in Japan
Yedo, March 6th. 1861.

Sir,

I have the honor to inform You that the British and French Ministers returned to this City on the 2nd instant

I believe that this desirable result is in no small degree owing to my refusal to join them in their action and to the views I expressed on the subject to Mr Alcock the British Minister in my letter of February 12th., a copy of which I transmitted to You with my despatch No. 8, dated February 13th. I think that my action in this matter has been of the greatest value, not only to the Japanese Government, but to the cause of humanity by rendering hostilities almost impossible.

The Ministers for Foreign affairs have sought my advice in this behalf, and they have been guided by my counsels.

and

The Honorable
The Secretary of State
Washington.

and I may justly say, that it is mainly owing to my good offices that this matter has been brought to a peaceful termination

I have the honor to transmit herewith Copies of the following correspondence had with the English Envoy.

No 1. Mr Alcock to Mr Harris dated Feby 25. No 1
No 2 Mr Alcock to Mr Harris dated March 2nd No 2
No 3 Mr Harris to Mr Alcock dated March 4th No 3.

I have the honor to be
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident of the United States in Japan.

Yedo, March 6th 1861

Townsend Harris
Minister Resident

No. 11.

3 Enclosures.

Received.

Return of the British & French Ministers to Yedo & relating to the peaceful termination of existing difficulties.

N°1.

Her Majesty's Legation

N°16. Yokohama Decr 25th 1861

Sir,

I have the honor to acknowledge the receipt of Your letter of the 23rd instant

Further discussion on the points at issue between us would I conceive be both endless and profitless; were the language in which you have seen fit to couch Your answer, not such as to justify my declining all further correspondence with You on the subject.

I have simply to inform You that I adhere to the statements already made, and formally deny the correctness of Your allegation that I have made use of any conversations that could fairly be considered private between us, — or referred to any facts not more or less officially communicated to me as the British Minister and Your Colleague.

As You desire the whole correspondence to be transmitted to Her Majesty's —

To

Townsend Harris Esquire

Minister Resident of the US of America

at Yedo.

Government, and have already sent my letter of the 16th to Your Own, — I have to request this may be added.

I have the honor to be,

Sir,

Your Most Obedient

Humble Servant

(Signed) Rutherford Alcock

H.B.M.'s Envoy Extraordinary

and Minister Plenipotentiary

in Japan.

(a true copy)

A. L. Patman.

Enclosure No 1.

with despatch No 71.

dated March 6th 1861.

Mr Alcock to Mr Harris.

N. 2

N: 20. Hotel's Legation
Yedo, March 2nd 1861

Sir,

Having announced to You my departure from Yedo a month ago, under circumstances fully known to You; I have now the honor to inform You of my return in accordance with the earnestly expressed desire of the Ministers, writing in the name of the Tycoon.

I have further to add, that my Colleague the Chargé d'Affaires of France and myself, come back under conditions previously arranged with Sakai Wookionosske, a member of the Second Council sent to Yokohama as an Envoy of the Tycoon's to that end. These conditions appearing to us fully to realize the objects we had originally in view in withdrawing from the Capital, we have readily without hesitation acceded to the desire of the Tycoon and the Gorogio to return -

To
Townsend Harris Esquire
Minister Resident of the United States
in Japan.

without further delay.

I have the honor to be

Sir.

Your most Obedient

Humble Servant

(Signed) Rutherford Alcock.

Envoy Extraordinary & Minister

Plenipotentiary in Japan.

(a true copy)

A. L. C. Portman.

Enclosure No. 2

with despatch No. 11.

dated March 6th, 1864.

The British Minister;

Etcaun & Yedo announced.

No. 3.

No. 25. Legation of the United States in Japan
Yedo, March 4th 1861

Sir,

I have the honor to acknowledge the receipt of Your letter No. 20, dated the 2nd instant, informing me of Your return to this city.

I feel this is a subject of — congratulation, and I avail myself of this occasion to state, that my good offices have not been wanting to bring about this very desirable result.

I have the honor to be
Sir,
Your most obedient
Humble Servant.
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Rutherford Alcock Esquire
H.B.M's Envoy Extraordinary
and Minister Plenipotentiary in Japan.

(A true Copy)
A. L. C. Portman.

Enclosure No 3.
with despatch No. 11
dated March 6th. 1861.

Mr Harris to Mr Alcock.
in reply to his letter
announcing his return
to Jedo.

Rec'd 14 June Mr Chubin

No. 12. Legation of the United States in Japan
Yedo, March 7th. 1861.

Sir,

I have the honor to transmit herewith my account for Salary as Consul General of the United States in Japan, while receiving instructions and making the transit to my post of duty.

I beg to call Your attention to the copy of a letter from J Appleton Esquire Asistant Secretary of State and dated February 14th 1860, which will be found among the vouchers of the account and Numbered one (1.).

After the account has been adjusted by the accounting officers of the Government, I respectfully request You to inform me in what manner I shall draw for the same.

I have the honor to be
Very Respectfully
Your obedient Servant.

To
The Honorable
The Secretary of State
Washington

Townsend Harris
Late U.S. Consul General
in Japan.

Yedo, March 7th 1864.

Townsend Harris
Minister Resident

1 Enclosure.

Received

Relating to account
as Consul General.

Rec'd 28. June. Mr Chilton

Ext.

No. 13. Legation of the United States in Japan
Jedo, March 13th 1861.

Sir,

I have the honor to acknowledge the receipt of Your despatch No. 14, dated November 22nd, informing me that the account of C W Brooke, Commercial Agent of the Japanese Government at San Francisco, for the support, medical treatment and return to Hakodadi of nine Seamen belonging to the Japanese War Steamer "Candinamarruh" had been approved and ordered to be paid by Your Department, and that the amount expended by him out of the Sum left in his hands by the Commander of the "Candinamarruh" would be refunded by him to the Japanese authorities.

I enclose herewith No 1, copy of a letter addressed by me to the Ministers for Foreign Affairs in relation to the foregoing. No 1

I

The Honorable
the Secretary of State
Washington.

I have also the honor to reknowledge the receipt of Your despatch No. 14. dated August 23d, transmitting Specimens of translations of the Bible into the Japanese language, and You direct me to ascertain the Correctness and value of the Same.

I have already placed the papers in the hands of Competent persons, and as soon as I receive their report, it will be forwarded to the Department.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident in Japan.

Yedo. March 13. 1861

Townsend Harris.

Minister Resident

No. 13.

1. Enclosure.

Received.

Acknowledging receipt of his Despatches No 14 & 14 of Aug. 23. & Nov. 22nd relating to translations of Bible into Japanese & payment of bill of returned Jap Seamen in Calif.

No. 30. Legation of the United States in Japan
Yedo, March 12, 1861.

Their Excellencies
Kudsi Jamato no kami
Ando Tsusima no kami
Ministers for Foreign affairs
Yedo.

I have the honor to inform Your Excellencies that my Government has repaid to Mr C H Brooke of San Francisco the sum of $2178 37/100, which he had expended for the support, medical treatment and return to Hakodadi of ten Sick Japanese Seamen, who were left in Hospital, when Your Steamer "Candinamarcuh" left San Francisco on her return to Japan.

Mr Brooke had paid these charges out of money left with him by the Purser of Your Steamer for that purpose, but as it has been paid by my Government, he will return to You the above named Sum.

I hand You herewith a package of letters, for Your Embassy, which has been sent to me from Washington.

Stated with respect and courtesy.

(Signed) Townsend Harris
Minister Resident of the United States in Japan.

Enclosure No. 1.
With despatch No 13.
Dated March 13. 1861.

Copy of letter to Minister
for Foreign affairs relating
to payment of Jap Hospital
bill &c. at San Francisco by
State Department.

Rec 28. June. Mr Clarke

No: 14. Legation of the United States in Japan
Yedo. April 1. 1861.

Sir,

I have the honor to transmit herewith No 1
numbered 1 my account for salary for the
quarter ending March 31st 1861, and to inform
You that I have drawn on the Department
in the prescribed form for seven hundred twenty
nine 5/100 Dollars, which draft is supported
by the prescribed vouchers.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident in Japan.

The Honorable
the Secretary of State
Washington.

Yedo, April 1, 1861.

Townsend Harris

No. 14.

1. Enclosure with
3 Vouchers.

Received

Account for Salary.

No 28. Japan Mr Childs

No. 15. Legation of the United States in Japan
Yedo. April 1. 1861.

Sir,

I have the honor to transmit herewith numbered 1 my account for contingent expenses for the quarter ending March 31st 1861 No 1.
Showing a balance in my hands of Sixty one 43/100 Dollars..

I have the honor to be.
Very Respectfully
Your Obedient Servant
Townsend Harris
Minister Resident in Japan.

The Honorable
the Secretary of State
Washington.

Yedo. April 1. 1861.
Townsend Harris

No. 15
1 Enclosure with
8 Vouchers.

Received.

Account of Contingent
Expenses.

Rec'd. July.

No. 16. Legation of the United States in Japan
Jedo, April 3rd 1861.

Sir,

In my despatch No 34 of September 13th I had the honor to inform You of the wish expressed by the Japanese Government that I would postpone the delivery of the President's letter of Recredence of the Japanese Envoys until the Completion of the New Palace.

I have now the honor to inform You that I yesterday had an audience of His Majesty the Tycoon, when I delivered the letter above referred to and on that occasion I addressed His Majesty as follows:

Sire

"I am directed to renew to Youre "Majesty the assurance of the cordial "friendship of the President of the United "States, and of His Sincere wishes for the "health and happiness of Youre Majesty

The Honorable
the Secretary of State
Washington.

." and for the prosperity of Your Empire.

In presenting to Your Majesty the "letter of recredence of Your Embassy to "the United States, I am directed to express "the gratification felt by my Government "at the reception of Your Envoys; and its "hope that this happy event may strengthen "the ties of friendship already existing "between the two Countries.

"I am also directed to state to Your "Majesty that the excellent deportment "of Your Envoys has given great — "Satisfaction to the Government and to "the people of the United States."

to which His Majesty answered:

"The receipt of the letter and Statement "is Satisfactory; — the friendly relations "between the two Countries shall be encreased "more and more; — Your long residence "here must be wearisome to You."

The ceremonial was attended with every mark of honor, and was in all respects entirely Satisfactory.

I have the honor to be
Your most obedient Servant.

Townsend Harris
Minister Resident in Japan.

Yedo, April 3d, 1861.

Townsend Harris.

No. 16.

Received.

Relating to audience of the Tycoon & presenting of President's letter of recredence of Jap Envoys to the U States.

Rec'd July. Mr Chilton.

No. 17. Legation of the United States in Japan
Jedo, April 8th, 1861.

Sir,

With Your despatch No. 14 of August 22 You transmitted specimens of translations of the Bible into the Japanese language, and You directed me to ascertain the correctness and value of the translations and to report to You thereon.

I have the honor to enclose herewith No. 1. Copy of a report on this subject — made by Messrs Brown and Hepburn, American Missionaries residing at — Kanagawa. No.

In accordance with Your instructions I now return the Specimens above referred to.

I have the honor to be.
Very Respectfully
Your obedient Servant.

Townsend Harris

The Honorable
The Secretary of State
Washington.

Yedo. April 8th. 1861.
Townsend Harris.

No. 17.
1 Enclosure.

Received.

Transmitting copy of report on Specimens of translations into the Bible in Japanese.

Kanagawa 5 April 1864.

Sir,

In accordance with Your request the Undersigned have examined the versions of the Gospel by St Mark and the Acts of the Apostles, done in Chinese and the Japanese Katakana character, and beg to report the result. Your request was so expressed as to limit our inquiries to two points. — You desired us merely to say, whether these books of the New Testament were first, in good Japanese, and secondly, whether they were proper to be published. — Confining ourselves therefore to these two questions, we answer:

1. The translations in question appear not to be in pure Japanese. — There are words here and there, which are not recognized at all by our native teachers. — In some instances these may be typographical errors, but hardly in all or the half of them. — They are more probably words confined in their use to some locality, where the Japanese language is the basis of the dialect, but where words of another stock have been engrafted upon the Japanese.

Ltr. Kanagawa 5 April 1864.

Besides this, an objection lies against the style of these versions: an objection of very great weight in the Japanese mind. - It is that there are many merely colloquial word employed in them, which a good writer would not feel at liberty to use.

These vitiate the rhetoric of these versions so as to make it offensive to the taste of literary men in this Country.

2nd Are these versions worthy of — publication?

This question is virtually answered by what has been said already. - In our opinion it would be inadvisable to publish a version of the Holy Scriptures containing the defects that have been pointed out. - Did it come within the scope of Your questions, we might further object both to the Chinese version of which the Japanese so called is a translation, as being one of those early versions made by a single individual, and which is decidedly inferior to some that have been made at a later period. - The Katakana character also, in which the Japanese part is written is not proper for such a purpose, and being but little used is therefore not generally legible among the Japanese. - The separation of the

Kata-kana part from the Chinese is something likewise entirely foreign to the usage in this country.

We have the honor to be
Sir,
Your obedient Servants.
(Signed) S. R. Brown.
J. C. Hepburn.

J Harris Esqre
&c &c. &c.
Yedo.

Enclosure, No 1.
with Despatch No: 17.
dated April 8th. 1861.

Report of Messrs Brown
& Hepburn on Specimens of
translations from the Bible
in the Japanese language.

Rec'd 22nd July. to Charleston

No. 18. Legation of the United States in Japan.
Jedo, April 25, 1861.

Sir,

I have the honor to transmit herewith No. 1, copy of a letter addressed by me to Mr C. W. Brooks of San Francisco desiring him to engage two Mineralogists to enter into the service of the Japanese Government. No. 1.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident in Japan.

The Honorable.
The Secretary of State
Washington.

U.S. Legation in Japan
Yedo, April 25, 1861.
Townsend Harris
Minister Resident.

No. 18.
1 Enclosure.

Received..

Relating to engagement
of two Mineralogists for
the Japanese Government

No. 44. Legation of the United States in Japan
Yedo, April 25th. 1861.

Sir,

The Japanese Government desires to engage two Gentlemen, who are thorough Mineralogists and practical Mining Engineers to examine their mines of gold, silver, copper and lead and to give them instructions as to the best manner of working them; - and in behalf of this Government I have to request You to engage two persons, who are properly qualified, as speedily as possible.

The parties engaged should be men in sound health, of good habits, and of mild temper.

In reference to Salary I have informed the Japanese that I thought that competent persons could be procured for 3,000$ to 5,000$ per annum. - The engagement is to be for one year and its continuance will depend on the mutual satisfaction of the parties.

I.

Mr Chas Wolcott Brooks.
Japanese Commercial Agent.
San Francisco.

U.S. Legation in Japan

It would be desirable that You should furnish the persons engaged with the proper papers, - stating the fact of their engagement by You and the terms of the engagement.

If a passage can be procured direct to - Hakodadi, it is desired that they should proceed to that place, where they will report themselves to the Governor, but if no vessels are bound there, they will take passage in the first vessel for Kanagawa and thence they will be conveyed to Hakodadi.

The Japanese also desire a strong substantial two horse Barouche and harness; - they desire it should be made with such caleche tops that it can be converted into a close carriage. - It is to be without any expensive decorations or fixtures. - I have told the Japanese that I thought such a carriage and harness would cost at San Francisco from 400$ to 700$. - They also want a one horse dray and harness, - of the kind used in the City of New York. - I stated the probable price of this would be from $80 to $100.

The Barouche and dray should be sent direct to Hakodadi if possible, but if no vessel for that port can be found, they may be sent to Kanagawa.

The charges for the foregoing will be paid by the Japanese on delivery.

Permit me to request Your prompt and zealous attention to the foregoing, and especially to the securing of persons, who are fully competent to discharge the proposed duty.

I am Sir,
Your Obedient Servant
(Signed) Townsend Harris.

Minister Resident of the United States in Japan.

Enclosure No. 1.
with Despatch No. 18.
dated April 25th, 1861.

Copy of letter to Mr G. W Brooks of San Francisco desiring him to engage two Mineralogists to enter into Service of Japanese Government

Rec'd 22nd July. Mr Colton

No. 19. Legation of the United States in Japan
Yedo, May 4th. 1861.

Sir,

I have the honor to enclose No. 1. translation of a letter from the Ministers for Foreign Affairs, requesting my friendly assistance in transmitting authenticated translations of a Circular Note of this Government, relating to its inability to make any new Treaties at this time. — A translation of this Circular is also transmitted herewith No. 2. No. 1

I also enclose No. 3. copy and translation of a letter written by me to the Austrian Minister for Foreign Affairs and the same letter mutatis mutandis I have also addressed to the Ministers No. 2. No. 3

for

The Honorable
The Secretary of State
Washington.

for Foreign affaires of Spain, Sardinia, Denmark, Sweden & Norway and Brazil, - and these letters I now enclose in open envelopes, leaving You to judge of the propriety of forwarding them.

I have the honor to be
Very Respectfully
Your most Obedient Servant

Townsend Harris
Minister Resident in Japan.

Yedo. May 4th, 1861.

Townsend Harris

Minister Resident.

No. 19.

3 Enclosures.

Received.

Relating to inability of the Government of Japan to enter into new Treaties for the present.

To.
His Excellency.
Townsend Harris
Minister Plenipotentiary
of the United States of America
in Japan
&c, &c, &c.

We enclose herewith a Communication in writing, relating to the State of affairs in our Country, which we request you to lay before Your Government.

According to our laws we are prohibited from corresponding with foreign Governments, excepting those however with whom Treaties have been concluded; we therefore request Your Excellency to lend us Your friendly aid and to act for us in this matter so as to cause — authenticated translations of the said — communication to be transmitted to the Governments of the Principal Powers of the World.

Dated with respect and courtesy
Yedo. the 22nd day of the 3rd month of the 1st Year of Bunkiu. (the 1st May 1861).

(Signed) Kudsi Jamato no Kami
Ando Tsusima no Kami
Ministers for Foreign Affairs
of His Majesty the Tycoon of Japan.

Enclosure No. 1.
with despatch No. 19.
dated May 4th. 1861.

Translation of letter
from the Japanese Ministers
for Foreign affairs.

Circular.

During a period of nearly three hundred years our Empire had no intercourse with foreign Powers.

Our country produced all that was necessary in sufficient abundance; the prices of articles of consumption were reasonable and scarcely subject to any fluctuation; peace and quietness prevailed everywhere.

Upon the recommendation however of His Majesty the President of the United States, the law excluding foreigners was modified and a Treaty concluded with His Excellency Commodore Perry, Envoy Extraordinary of the United States on the 3d day of the 3d month of the 1st year of Ansei (the 31st March 1854), whereby it was agreed that Ships of the United States should be furnished with wood, water and provisions in the ports of Simoda and Hakodadi.

Since then, another Treaty was concluded on.

His Excellency
the Minister of

on the 19th day of the 6th month of the 5th Year of Ansei (the 29th July 1858) with His Excellency Townsend Harris Minister — Plenipotentiary of the United States, granting freedom of trade; Similar Treaties were subsequently concluded with five other Powers, all of which are now in force.

The result, however, anticipated from the opening of the ports to foreign Commerce has not been realized; the rich experience no advantage, nor do the poor derive any benefit therefrom.

The prices of the necessaries of life are daily advancing, owing to steadily encreasing exportation, and the humbler classes not being able to supply their wants as heretofore and often exposed to hunger and cold, attribute this to foreign trade and to the acts of their Government. - The higher and also the wealthier classes are also opposed to foreign trade, because they do not perceive the benefit thereof.

The policy of exclusion of foreigners having been in force during so long a period had become like an established custom with our people; it is evident therefore, even if the difficulty already mentioned did not exist,

that.

that it is next to impossible to change or even to modify public opinion and to allay the uneasiness entertained concerning foreign trade.

There is no doubt however that in course of time our people will acknowledge that benefit is to be derived from foreign trade; but in the present state of public opinion to conclude Treaties with other Powers would lead to complications and perhaps even to insurrection. And whereas, under the present circumstances, it has been deemed necessary to propose the postponement of the opening of the ports of Hiogo and Neegata and of the admittance of trade in the Cities of Yedo and Osacca, as stated in the Treaties, we have to state in consquence, that we cannot enter into new Treaties with other Powers; our object with this Circular being to furnish information respecting the present State of affairs in our Country, and to prevent the Sending of diplomatic Agents to Japan for the purpose of establishing relations with our Government, which, to our regret, we would have to decline for the present.

It is the desire of our Government that

&c.

the foregoing be brought to the knowledge of the several Governments of the Reinciped Powers of the World.

Dated with respect and courtesy Jedo. the 22nd day of the 3rd month of the 1st year of Bunkiu (the 1st day, 1861).

(Signed) Kudsi Jamato no kami
Ando Tsusima no kami
Ministers for Foreign Affairs
of His Majesty the Tycoon of Japan

(a true translation)
A. L. C. Portman.

Enclosure No 2
with despatch No 19.
dated May 4th 1861.

Translation of Circular
Note of Japanese Government.

No. 42. Légation des Etats Unis au Japon.
Yedo, le 2. Mai. 1861.

Monsieur le Ministre:

J'ai l'honneur de transmettre ci-jointe à Votre Excellence une traduction vérifiée d'une Note, qui m'a été adressée par le Gouvernement du Japon, accompagnée d'une traduction également vérifiée d'une Note Circulaire de ce Gouvernement, que j'ai été prié de vous faire parvenir, ayant rapport à ses relations Commerciales avec l'étranger.

Agréez, Monsieur le Ministre, les sentiments de considération distinguée avec lesquels

J'ai l'honneur d'être
de Votre Excellence
le très humble Serviteur
Signed / Toursend Harris
Ministre Résident des Etats Unis
au Japon.

A
Son Excellence
Monsieur le Ministre
des Affaires Etrangères
de Sa Majesté l'Empereur d'Autriche
&c &c &c
Vienne.

No. 42. Legation of the United States in Japan
Yedo. May 2d. 1861.

Sir

I have the honor herewith to transmit to Your Excellency an authenticated translation of a letter, addressed to me by the Government of Japan, accompanied by a translation, also authenticated, of a Circular of that Government; which I have been requested to forward to You, relating to foreign trade in Japan.

Accept the assurance of the distinguished consideration with which

I have the honor to be
Your Excellency's
most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

His Excellency
the Minister of Foreign Affairs
of H M the Emperor of Austria
&c. &c. &c
Vienna.

Enclosure No 3.
with despatch No 19.
dated May 4th. 1861.

Copy and translation of
letter addressed to the Minister
for Foreign affairs of Austria.
&c. &c.

Rec 22nd July. Mr Heusken

No 20. Legation of the United States in Japan.
Yedo, May 8th 1861.

Sir,

I have the honor to transmit herewith a letter from His Majesty the Tycoon to the President of the United States and a letter from the Ministers for Foreign affairs addressed to You. - I have enclosed English translations with the foregoing.

These letters express the desire of this Government that the opening of the cities of Yedo and Osacca, and the harbours of Hiogo and Neegata should be postponed, for reasons that are set forth in the letter of the Ministers for Foreign Affairs.

In my despatch No 26, dated August 1st, 1860, I expressed my opinion that it would be judicious to postpone the period fixed by the Treaty for the opening of the City of Yedo, and not having found any reason to alter my views since writing that

The Honorable
the Secretary of State
Washington.

that despatch, I respectfully request You to reperuse the same.

I have never been able to visit Osacca and am therefore unable to say what may be the actual state of feeling in reference to the permanent residence of Foreigners in that City; - but I am aware that it is in the district called Tien - or Heavenly by the Japanese from the fact of its being the residence of the Mikado - or Spiritual Ruler of Japan. and it may well be that the residence of Foreigners in that district would be regarded with dislike by a portion of the Japanese people. - Hiogo is simply the Seaport of Osacca and its opening - naturally depends on that of the City and Neegata is a minor consideration.

The present action of this Government would seem to be a retrograde movement, but this opinion will be somewhat modified when the present and the past are compared.

Since July 1859. the prices of all articles of export from this country have risen from 100 to 300 percent; - a change so great and so sudden could not fail to press heavily on all official persons of fixed and limited incomes, and it is from this class that

the

the loudest complaints are heard; and their complaints will continue while they are in a transition state towards a higher rate of salary.

The Dimios receive a large portion of their revenues in kind, and as they dispose of all their surplus, they find their incomes greatly increased. - The effect of this is clearly shown by the fact, that when I first came to Yedo in November 1857, only thirteen of the Dimios, out of some three hundred, were in favor of opening the Country, while at the present time about one half of them are in favor of the new order of things.

I would respectfully suggest that - discretionary power should be given to the Diplomatic Agent of the United States in this Country to act in concert with his Colleagues in such manner as he may deem most advisable for the interests of both Countries.

I have the honor to be
Very Respectfully
Your most Obedient Servant

Townsend Harris
Minister Resident in Japan.

Yedo. May 8th. 1861.
Townsend Harris.
Minister Resident.

No. 20.
No Enclosures.

Received.

Transmitting letters from
the Tycoon and the Ministers
for Foreign Affairs of Japan
with translations of the same.

To
His Excellency
the Secretary of State
for Foreign Affairs
of the United States
of America
&c , &c , &c.

We have to state to Your Excellency that His Majesty the Tycoon has addressed a letter to His Majesty the President on the subject of the Treaty concluded with the United States; and by his Order a full and clear statement of the fact therein set forth is to be made by us to Your Excellency.

It was for a period of nearly three hundred Years that foreign intercourse was excluded from our Empire; that ancient law, owing to the pressing - recommendation of His Majesty the President of the United States was - somewhat altered; and it was resolved to allow Ships off our Coasts to be furnished with wood, water, provisions and what they might be in need of at the two ports of Simoda and Hakodadi.

Since the arrival in Japan of the

Ministers of the United States His Excellency Townsend Harris, we became gradually better informed upon all that relates to foreign countries as at present situated, and our Government taking this into consideration concluded the Treaties of Amity, recently gone into operation, first with the United States, and subsequently with Russia, France, England, Holland &c thus establishing freedom of trade.

This however carried into effect led to a result, generally experienced and very different from what was anticipated; — no benefit has been derived, but the lower class of the Nation has suffered from it already.

The prices of articles of general consumption are daily advancing, owing to extensive exportation to foreign countries, while but little is imported into our country, and the people of the humbler class, not being able to supply their wants as heretofore, attribute this to foreign trade and occasionally express themselves to that effect. Yes. even the higher and wealthier classes are generally not favorably disposed towards commerce; so that soon there may be those who will condemn the abrogation of the prohibition of former

times

times and desire the re-establishment of the ancient law.

The policy of exclusion of foreign-intercourse was like an established custom and had deeply taken root in the National Mind, that knew nothing of intercourse-with foreign Powers; - it would therefore be a matter of great difficulty to allay the feeling of uneasiness, with which public opinion regards the change of policy, even if the difficulty already mentioned, did not exist.

While this disadvantage has made itself felt throughout the Empire, a general-uneasiness is created by referring to the Stipulation, according to which the ports of Hiogo and Neegata are to be opened and foreign trade is to be carried on at Jedo and Osacca; which Stipulation is to be found in the 3rd Article of the Treaty, and published accordingly. - As the time approaches that this Stipulation is to be carried out, a-greater anxiety manifests itself, from an apprehension that the disadvantage and the loss already experienced are to be further-increased.

In the present state of public opinion,

it would be a matter of great difficulty for the Government to exert its power and authority for the purpose of demonstrating the benefits to be realized at some future day, and thus causing it to submit to the present uneasiness for some time longer.

To look at things in their present and not in their prospective state is the habit of ignorant people. - Should recourse be had to strong measures to accomplish the purpose, the extent of the calamity to result from such action in direct opposition to public opinion could not well be estimated. - And as for Negata, there are several sandbanks at the entrance of that harbor, which render it unfit to be visited by ships of foreign Nations; the Minister of the United States His Excellency Townsend Harris is also of opinion that that place lacks the requirements for Commercial purposes; another suitable port ought therefore to be selected and opened on the West Coast according to Stipulation. This has not yet taken place, and the selection been delayed, owing to adverse winds and currents at the time of examination of that coast, which examination had then to be discontinued.

In

In view of the present state of affairs, the proper time to make suitable arrangements should be waited for; - therefore the opening of the two ports and the two cities should be postponed; public opinion reassured and gradually prepared, commerce organized by degrees; prices of things find their level and the old custom changed in such a manner that a prosperous intercourse with foreign countries become the wish of the Nation! -

Under such circumstances it would not be difficult to open the two ports and the two cities.

Like the Sailor under a headwind, who - waits until the wind becomes favorable, so should there be patience in waiting for the proper time for perfecting the matter without pressure or compulsion of any kind. - For the above mentioned reason it is desired to postpone the opening referred to for a period of seven years, according to the Japanese era until the close of the year of the next Hinoto, corresponding to the Year 1868 of Your era.

It may be expected that such arrangement allowing time for preparation will bear good fruit and prevent difficulties. - Should however any pressure be brought to bear upon

this matter, the evil consequences of such a course could not well be averted, though it be in accordance with the Treaty. - This is the true State of affairs. - People are apt not to heed the recommendation of others, but to be in favor of all that they themselves originate - this is a common thing in human nature.

The best course to be pursued is to take into consideration the true nature of men and things, to use no compulsion, to enlighten the people by degrees and to prepare the time, when of their own accord they will look to the future with Confidence. - And Surely, there will be no other means to meet the present emergency.

As however the postponement of fulfilment of any Treaty Stipulation may lead to a disagreeable impression being formed; we - hesitated until now to make this Communication; we have taken the Subject repeatedly in mature consideration and feel confident that there is but one way to arrange the matter and that is as above Suggested. - This measure is not only in the interest of our Empire, but it will undoubtedly tend to strengthen the existing ties of friendship and to secure the advantages of commerce permanently. - For this reason has

His Majesty the Tycoon addressed a letter to His Majesty the President with the object of postponing the opening of the two ports and the two cities as above mentioned.

We consulted the Ministers of Foreign Powers on this subject, and also fully explained it to the Prussian Minister, last arrived, who agreed to the reasons set forth, in consequence of which in the Treaty concluded with Prussia the article referring to the two Ports and the two cities was omitted.

It is our heartfelt desire that Your Excellency will take the foregoing in due consideration, and in view of the urgency of the case and the importance of our — statement, be pleased to submit the matter to His Majesty the President and cause it to be settled and accepted in conformity with our wishes and for the perpetuation of the existing friendship between the two countries.

We also consulted His Excellency — Townsend Harris on the subject, who partly agrees with us; a communication by him will also be made to Your Excellency.

We further beg leave to inform You that similar communications have been sent to

the

the Governments of those Powers having Treaties with Japan.

Stated with respect and courtesy.

On the 23rd day of the 3rd month of the 1st Year of Bunkiu

(Signed) Kudsi Yamato no kami

Ando Tsusima no kami.

Translation of a letter from Kudsi Yamato no kami and Ando Tsusima no kami, ministers for foreign affairs in Japan to the Secretary of State Washington, dated Feb. 22nd 1864.

Greeting. — I have to state to Youre Majesty the President of the United - States of America that since a Treaty was concluded between my Empire and the United States the relations between the two Countries have been in steady progress of organization, and that the time approaches when much of what is stipulated in that Treaty is to go into effect. — But there are several obstacles in the way of execution of that article of the Treaty, which relates to the - opening of the ports of Hiogo and Neïgata and the admittance of - foreign trade in the Cities of Yedo and Osacca. — I therefore desire to postpone the opening of the places above named. — More particulare - information on this subject will be communicated by the Members of my Council for Foreign affairs Kudsi Jamato no kami and Ando Tsusima no kami to the Minister of Foreign Affairs of the United States.

I hope that Your Majesty animated by friendly feeling will consent to this. — I wish happiness

Translation of a

and prosperity to the United States.

On the 28th day of the 3rd month of the 1st Year of Buntiw

Name of His Majesty the Tycoon.

← Transl of gold decorated scroll

Translation of a
letter from the Tycoon
of Japan to the President
of the United States,
dated May 2nd. 1861.

Rec'd Oct 4

Ent

No. 21. Legation of the United States in Japan
Yedo. June 7th 1864

Sir,

In my despatch No. 4 dated January 22nd I had the honor to inform You of the Steps taken by me to ensure the arrest and punishment of the murderers of Mr Heusken, the Interpreter to this Legation.

Since then I have frequently pressed the Japanese Ministers to give me Some evidence of the Sincerity of their professions.

A large number of persons have been arrested on Suspicion, but their complicity in the crime could not be brought home to them; & Some of them were convicted of other crimes and have been executed.

I am convinced that the Japanese are acting in good faith and that they earnestly wish to discover and punish the assassins of Mr Heusken.

The Honorable
the Secretary of State
Washington

Translation of a

No. 1

I hand You herewith No 1. copy and translation of a letter from the Ministers for Foreign Affairs stating that the three Yakonines who attended Mr Heusken on the night of his murder have been punished for neglect of duty, and also that four guards, who were on duty near the place where Mr Heusken was assaulted have also been punished for remissness on that melancholy occasion.

I have the honor to be Sir
Very respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident in Japan.

Yedo June 7. 1861.
Townsend Harris
Minister Resident

No. 21.
1 Enclosure-

Received.-

Relating to punishment of
seven persons for leniency
of duty when M Heusken
was murdered

Aan
Zyne Excellentie
Townsend Harris
Gevolmagtigden Minister
der Vereenigde Staten
van America,
enz, enz, enz.

Wy stellen U Schrifteliyk voor. Wat aangaat de vermoording van den heer Heusken, Secretaris van Uw Legatie, - gebeurd op den laatsten jaar, is er de Strenge order gegeven om den Misdadiger te examineren. Zoo als het alreed tot Uwe kennis gebragt is.

Daar de Escorten echter in deze gelegenheid onbehoorlyk gedrag gehad hebben, Zoo is - Zoodanige straf nu aan Soedzoeki Dzennoske en andere Zes personen veroordeeld als het hierby gevoegde papier.

Het is wenschelyk dat bovengemelde in Uw herinnering genomen te worden.

Met eerbied en beleefdheid voorgesteld
Den 26ste dag der 4de maand van het 1ste jaar van Bunkuw. (den 5den Juny 1861
(Warfeteekend) Koeske Yamato no kami
Ando Toesima no kami

Yeso June 7. 1861.

Konnis.
Soedzaki Dennoeki
Kondon Nawosaburo
Adzima Konkitchi
Afschaffen hunner dienst, doen wedervoegen dienst en verbieden uit te gaan.

Konkitchi
Denske.
Maroroko
Tatuemon.
Wachters van het Wachthuis
Het dienst van wachter worden weggenomen en verboden in het vervolg in gemelde dienst te zyn -

a true copy
A.L. Portman.
Interpreter

To
His Excellency
Townsend Harris
Minister Plenipotentiary
of the United States of
America, &c, &c, &c.

We state to you in writing in reference to the murder of Mr Heusken, Secretary at Your Legation, which took place last Year, that stringent orders were issued to arrest the criminals. - of which we informed You before.

As the escort however on that occasion did not act properly, punishment has been awarded to Sudzuki Dzennodzio and six other persons as stated in accompanying writing.

It is desirable that the foregoing be brought to Your Notice

Stated with respect and courtesy
On the 26th day of the 4th month of the
1st Year of Bunkiu (June 5th, 1861.

(Signed) Kudsi Yamato no Kami
Ando Tsusima no Kami.

Translation of Sentence.

Sudzuki Drenmodzio.
Kondou Sawosaburo.
Adzima Kenkichi

Dismissed the Service; they cannot be reinstated and are not permitted to go out.

Sindichi
Dzenske.
Masoroke
Tatsemon.

Guards at the guard house.

dismissed the Service as guards and not permitted to serve again in that capacity.

(A true translation)
A. Portman.
Interpreter

Enclosure No 1.
with dispatch No 21.
dated June 7. 1869.

Relating to
murder of the Russians

Rec 5. Oct.

No. 22. Legation of the United States in Japan.
Yedo, June 18th 1861

Sir,

I have the honor to transmit herewith No. 1. Copy and translation of a letter from the Ministers for Foreign affairs in which they request my assistance in procuring two Ships for them. No. 1

I enclose No. 2 Copy of a letter in reference to the above and addressed mutatis mutandis to the Consuls of the United States at Shanghai and HongKong. No. 2.

I also enclose No. 3 copy of a letter addressed by me to the Ministers for Foreign affairs in answer to their request. No. 3

I have the honor to be
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident

The Honorable
the Secretary of State
Washington.

Yedo, June 18, 1861

Townsend Harris

Minister Resident.

No. 22.

3 enclosures.

Received.

The Japanese Government
desire to purchase two
merchant vessels.

Aan
Zyne Excellentie
Townsend Harris
Gevolmagtigden minister
der Vereenigde Staten
van Amerika.
enz. enz. enz.

Wy stellen U Schriftelyk het volgende voor. - Aangaat den inkoop van het Koopvaardyschip willen wy nu inkoopen twee Schepen van gemelde soort byna drie honderd Tons, naar hetgeen U E er ooit over medegedeeld hebt. Zoo verzoeken wy U dat de beschikking en verdere Zaken daaromtrent op gepast wyze genomen worden.

Intusschen wenschen wy ook dat U E wilt mededeelen aanneer de gemelde Schepen herwaarts kunnen gezonden worden

Wy stellen het bovenstaande voor met eerbied en beleefdheid

Den 5den dag der 5de maand.
van het 1ste jaar van Bunn Kuw (10de Juny 1861)
(Was getekend) Koedzi Jamato no Kami
Ando Boesima no Kami.

a true Copy.
A. L. C. Portman
Interpreter at the Legation.

Over

To
His Excellency
Townsend Harris
Minister Plenipotentiary
of the United States of
America &c &c &c

We state to You in writing in regard to the purchase of merchant vessels that we desire to buy two such vessels of about three hundred tons each, in accordance with what Y[ou] stated to us on the subject. We request You therefore to arrange all about this matter for us in the manner You may deem suitable.

We request Y[ou] to inform us when those vessels are likely to be sent here.

Stated with respect and courtesy
On the 3rd day of the 5th month of the 1st
Year of Bunkiu (the 10th of June 1861).

(Signed) Tsudsi Jamato no kami
Ando Tsusima no kami.

(A true translation)
A. L. C. Portman
Interpreter at the Legation

Enclosure No. 1
with despatch No. 22.
dated June 18th 1861.

Copy & translation of letter
of Japanese Government
desiring to purchase two
merchant vessels.

No 51. Legation of the United States in Japan.
Yedo. June 17. 1861.

Sir,

The Japanese Government desire to purchase two merchant vessels of about 300 Tons Register each; the vessels to be of good carrying capacity and in serviceable condition. — You will oblige me by making this known to the American Merchants and Shipowners at Your place.

The vessels are to be inspected at Kanagawa and it must be expressly understood that no claims whatever are to be advanced against the Japanese Government if the vessels remain unsold, nor is anything to be paid by them for the voyage of such vessels out to Kanagawa.

I am Sir.

Your Obedient Servant
(Signed) Townsend Harris
Minister Resident in Japan.

W. L. G. Smith Esq.
US Consul
Shanghai.

Letter of same date and tenor
to US Consul Hong Kong.

a true copy.
A. L. Portman
Interpreter.

Enclosure No. 2.
with despatch No. 22.
Dated June 18th 1861.

Copy of letter to US Consuls
Shanghae & Hongkong relating
to the desire of the Japanese
Government to purchase two
Merchant vessels.

No. 54. Legation of the United States in Japan
Yedo. June 17. 1861

Their Excellencies
Kudzi Yamato no kami &
Ando Tsusima no kami
Ministers for Foreign Affairs
&c, &c. &c.

Yedo.

I have the honor to acknowledge the receipt of a letter from Your Excellencies dated the 3d day of the 5th month. in which You request my assistance in procuring two merchant Vessels for You.

I hand You herewith translations of a letter addressed by me to the Consuls of the United States at Shanghae and Hongkong, requesting them to inform American Shipowners of Your wishes.

I am unable to say when the vessels may be expected here, but I should think they would arrive in two or three months.

Dated with respect and Courtesy
(Signed) Townsend Harris
Minister Resident of the United States
in Japan

A true copy.
A. L. C. Portman.
Interpreter.

Enclosure No. 3.
with despatch No. 22,
dated June 18th 1861.

Copy of Reply to Japanese
Ministers for Foreign Affairs
in reference to their desire
to purchase two Merchant
Vessels.

Rec'd. Oct. Mr Chilton

Ext.

No. 23. Legation of the United States in Japan

Yedo. June 21. 1861.

Sir,

With my despatch No. 13 dated March 13, I had the honor to transmit copy of a letter addressed by me to the Ministers for Foreign Affairs, informing them, that You had directed the repayment to Mr C. W. Brooks of San Francisco of the sum of $2178 37/, which he had expended for the Japanese Steamer "Candinamaruh".

I now endose, No. 1. copy and translation of a letter from the Japanese Ministers in relation to this subject and No. 2 Copy of my reply to the Same

No. 1

No. 2

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident

The Honorable
the Secretary of State
Washington.

Yedo, June 21. 1861
Townsend Harris
Minister Resident.

No. 23.
2 Enclosures.

Received.

Relating to the item refunded
by the Department to Mr
C.W. Brooks Actg Jap Agent for
expenses Jap Sailors of Steamer
Kwanjinmaru

Aan
Zyne Excellentie
Townsend Harris
Gevolmagtigden en
Minister der Vereenigde Staten
van Amerika.
enz. enz. enz.

Op ontvangst van Uwen brief gedateerd den 12den Maart en genommerdeerd het 30ste hebben wy ten volle begrepen dat, terwyl de som van 2000 Dollars aan Brooks officier der Vereenigde Staten door Kimoera Sets no Kami Gouverneur van onze oorlogschepen in bewaring gesteld is geworden ter geneeskundige hulp en verdere onkosten voor de Zieken onder de Matrozen van ons Stoom-schip "Kwanrimaroe", welk by de laatste expeditie van onzen afgezant naar de Vereenigde Staten apart afgevaardigd is geworden de gemelde Som by deezen terug gegeven wordt, daar al de onkosten door Uwe Regering zyn betaald.

Eigenlyk is het niet van onzen Zin dat het aantal personen zoo bystand gehad en bovendien tot de onkosten toe de hulp van Uwe Regering heeft genoten; naar Uwe mededeeling Zullen wy echter de gemelde Som

Som ontvangen omreden dat Zoo deze teeng gegeven wierd, het Vriendelyke gevoelen van Uwe Regering tebeur gesteld Zou worden. En daar wy de bevoegde Ambtenaar binnen Kort naar uw verblyf Zullen Zenden om die Som te ontvangen en voor het vreendelyke gevoelen dank te betuigen is het wenschelyk dat Uwe Excellentie den dag om de Som af te leveren. Zoo het in orde is, wil bepalen en ons berigten.

Wy hebben ontvangen een pak brieven welke uit Washington aan onzen afgezant gezonden zyn.

Zulks hebben wy tot antwoord voor te stellen.

Met eerbied en beleefdheid
Den 7den dag der 5de maand van het 1st jaar van Bunn Kuw. (den 14den Juny 1861.)
(Was geteekend) Koetse Jamato nokami
Ando Boesinna nokami

A true copy
A L Portman
Interpreter.

To
His Excellency
Townsend Harris
Plenipotentiary & Minister
of the United States of
America
&c, &c, &c.

We received Your letter dated the 12th March
Number 20, and have fully understood that
the sum of 2000 Dollars, left with Mr Brooks,
Officer of the United States by Kimura Sets no
Kami Governor for Naval Affairs for the purpose
of defraying all expenses for medical aid &c for
the Sick Sailors of our Steamer "Kwanrinmaru",
which on the occasion of the Sending of Our
Embassy to the United States had been despatched
on a mission not connected with that Embassy,
– is to be refunded, as all the expenses have been
paid by Your Government.

That a large number of persons have been
assisted in every way and that moreover all the
expenses have been at the charge of Your Government
is, properly speaking, not agreeable to us. – We
will however receive the said Sum, mentioned in
Your Communication, in order not to disappoint
the friendly feeling of Your Government. – We
propose therefore to send an officer authorized for
that.

Enclosure. No 1.
with despatch No 23.
dated June 21, 1861.

Copy & translation of letter from Jap Government relative to the sum refunded by the Department to Mr Brooks acty Japanese Agent.

purpose to your Excellency's evidence & assure the said Government and to return thanks for the friendly feeling - We request therefore, if the said Government is proper, that Your Excellency will fix a day for the delivery of the said sum and inform us accordingly.

We acknowledge the receipt of a footage containing letters from Washington addressed to Our Embassy. Which we have to reply:

With respect to the Country.

The 7th day of the 5th month of the 1st year of Bunkiu (the 14th of June 1861)

(Signed) Shibuzawa Kamei
Oda Sunnosuke Kamei

Attestation / Translation /
R.L.C. Holtman
Interpreter

No. 56. Legation of the United States in Japan.
Yedo. June 20th.

Their Excellencies
Kudsi Jamato no kami &
Ando Tsusima no kami
Ministers for Foreign affairs
&c &c &c
Yedo.

I have received the letter of Your Excellencies dated the 1st day of the 5th month, in which You inform me that You will send an authorized Officer to this Legation to receive the sum of $2000, which was paid at San Francisco by the Commander of Your Steamer "Kwanzinmarroo."

I have to state that this sum has not been received by me and that it will be sent by Mr C.W. Brooks to You direct without passing through my hands.

Stated with respect and Courtesy
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 2.
with despatch No. 23.
Dated June 21. 1861.

Reply to Japanese Govern
ment of their letter relating
to sums refunded by the
Department to their Agent
in San Francisco.

Rec. 5. Oct. Mr Clarke

East.

No. 24. Legation of the United States in Japan.
Yedo, July 1. 1861

Sir,

I have the honor to transmit herewith No 1 my account for Salary for the quarter ending on the 30th of June, and to inform You that I have drawn on the Department in the prescribed form for Seven hundred twenty nine 5/100 Dollars, which draft is supported by the requisite vouchers. No 1

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident of the United States
in Japan.

The Honorable
the Secretary of State
Washington

Yedo July 1, 1861.

Townsend Harris
Minister Resident

No. 24.
1 Enclosure.

Received

Account for Salary.

Re: 5: Odi Mr Martin

East

No 25 Legation of the United States in Japan
Yedo, July 1, 1861.

Sir,

I have the honor to transmit herewith numbered 1, my account for the contingent expenses of this Legation for the qualter ending June 30th, showing a balance due to me of Two hundred and twenty 24/100 dollars. No 1

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident of the United States
in Japan.

The Honorable
the Secretary of State
Washington.

Yedo: July 1, 1861.

Yedo. July 1, 1861

Townsend Harris

Minister Resident

No. 25.

1 Enclosure.

Received.

Advising draft for

Contingent expenses.

Re. S. Cal.

No. 26. Ent

Legation of the United States in Japan.
Yedo, July 2' 1861.

Sir,

In my despatch No. 26 dated August 1. 1860. I had the honor to - inform the Department that I was of the opinion that it would be expedient to postpone the opening of this City for the residence of American citizens beyond the date fixed therefor by the Treaty of Yedo, and I gave my reasons in extenso for that opinion.

During the eleven months that have elapsed since I addressed the - Department on this matter all my observation has tended to strengthen the views I have already expressed on the subject. The American Merchants in Japan are generally of the opinion that no material advantage to their business will

The Honorable
the Secretary of State
Washington.

will arise from the opening of this City to them as a place of residence.

I respectfully request your perusal of a copy of the despatch in question, which I transmit herewith No. 1.

No. 1.

The time for some definite action is rapidly approaching, and I shall be extremely embarrassed if I do not receive your instructions in this behalf before that period actually arrives.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Yedo, July 2. 1861.
Townsend Harris
Minister Resident

No. 26.
1 Enclosure.

Received.

Instructions requested
to postpone the opening
of the City of Yedo as a
place of residence for
American Citizens.

No 26.

Legation of the United States in Japan
Yedo, August 1. 1860.

Sir,

The clause of the third Article of the Treaty of Yedo, which gives American Citizens the right of residence in this City for the purposes of trade after the 1st of January 1862 has occupied much of my thoughts for some months, and has caused me not only Solicitude but anxiety.

The population of this City is widely different from that of any other place in the World. - Its chief elements consist of the hereditary Princes, the Nobles and the high Officers of the Government with the retainers of the Princes and Nobles and the followers of the high Officials - The aggregate number of these retainers and followers, all of whom are armed, is very great; - it is said to be over 300000 men. - The -

The Honorable Lewis Cass
Secretary of State
Washington.

character of this class is an important consideration; - they lead a life of - idleness and many of them are exceedingly dissolute; - towards those whom they regard as being their inferiors, they are arrogant and aggressive; - they haunt the streets in great numbers, - frequently in a state of intoxication, and being always armed, are not only prompt in taking offense, but ready to seek it.

The feelings of these men towards foreigners are a mere reflex of the opinions of their masters; and as a majority of the latter are opposed to the presence of foreigners here, it may be fairly assumed that an equal proportion of their followers are hostile to us. — I cannot conceal from You my serious apprehension, that with the present state of feeling very grave difficulties might arise from the presence here of American citizens for the purposes of trade.

I have no cause of complaint for myself, but whenever I leave my residence I am attended by a retinue that commands respect; and in addition to this my - official position is well known.

But the merchant could have no such protection; he could not afford to support such an escort, and even if he did retain one, his social position would deprive him of nearly all the benefit of it.

If all the foreigners in Japan were prudent and discreet men, the danger arising from their residence in this city would be diminished but not entirely averted. - Unfortunately, a portion of them are neither prudent or discreet, and they are numerous enough to imperil the safety of the orderly and well disposed and seriously endanger the amicable relations that have been established with so much difficulty and labour with this Government.

Yedo is neither a commercial or manufacturing city; the imports are confined to the supply of the inhabitants, and of exports there are none. - The manufactures are limited to the production of the coarse articles for common use, which are of too little value to allow of charges for transport.

- Kanagawa is now, and must remain, the seaport of Yedo, as after leaving Kanagawa, vessels can nowhere approach the shore nearer than

than three miles, and at Yeto, they must anchor at the distance of five miles from the Shore.

The business of this City is exclusively a retail one; and it is carried on in a manner, which would apparently prevent a foreigner from conducting it. — The class of persons, who would be the principal purchasers of foreign productions, never enter a Shop to make a purchase; - the vendor carries his goods to the residence of his customer, and there kneeling on the ground, he exhibits his wares.

The trade already developped gives a promising hope of the ultimate establishment of a large and beneficial commerce with this Country, but these hopeful prospects may be seriously damaged and possibly utterly - destroyed by a collision between the foreigners and Japanese, and I greatly fear that the indiscriminate admission of foreigners at the time fixed by the Treaties to the right of residence in this Capital will lead to the most deplorable consequences and to a State of affairs fatal to the best interest of all.

I have endeavored to lay before You

a

a concise Statement of the prospect before us in reference to this matter, and I respectfully request Your serious consideration of it.

I have had frequent conferences with my Colleagues the English and French Ministers, and we are united in our opinions on this subject. - It has been agreed between us that we should write to our respective Governments asking for discretionary Power to postpone the opening of this City for one year with the power of renewing the postponement from time to time, as actual exigencies might require.

I address You thus early, not only on account of the importance of the subject, but also in view of the great delay, that frequently occurs in the transmission of my despatches to You.

I have the honor to be
Very Respectfully
Your obedient Servant
(Signed) Townsend Harris
Minister Resident.

Enclosure No 1.
with despatch No 26.
dated July 2. 1861.

Relating to the proposed
postponement of the
opening of the City of
Yedo.

No. 27. Ent. Rec'd 12. Oct

Legation of the United States in Japan
Yedo, July 6, 1861.

Sir,

The Japanese Government is now preparing a Mission to be sent to the Court of the various European Powers, - with whom it has made Treaties

In connection with this subject the Ministers for Foreign Affairs have desired me to forward for them a letter addressed to the Minister for Foreign Affairs of - Prussia, announcing the intended Embassy.

I transmit herewith No 1. Copy and translation of the Ministers' letter to me, requesting my assistance and also stating in terms, that it was through my - instrumentality that the Treaty with Prussia was negotiated. No 1

I also enclose No 2. Copy of my - reply to the Ministers for Foreign affairs and No 3. Copy of a letter addressed by No 2. No 3.

The Honorable
the Secretary of State
Washington.

me to Count d'Eulenburg the Poussian
Envoy, having reference to the foregoing.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Yedo. July 5th. 1860.
Townsend Harris
Minister Resident.

No. 27.
3 Enclosures.

Received.

Intended Japanese Embassy
to Europe. Instrumentality
in negotiation of Prussian
Treaty.

Aan
Zyne Excellentie"
Townsend Harris
Gevolmagtigden Minister
der Vereenigde Staten van
Amerika, enz, enz, enz.

Wy stellen aan Uwe Excellentie het volgende voor. - Daar de Afgezanten naar Brittanje, Frankryk: en verdere met ons Ryk het Tractaat hebbende - Magendheden afgevaardigd gullen worden, worden by deze de Ambtenaren daarvoor benoemd, dan hebben wy geene middelen om het ter kennis van Buiten te brengen. Aan hetgeen UE bezorgd et toen het Tractaat met de gemelde Magendheid besloten werd, verzoeken wy U om een hief aan gemelde Magendheid te zenden

Wy stellen het voor met eerbied en beleefdheid

Den 24ste dag der 5de maand van het 1ste jaar Bunkun.

(Was geteekend) Koedze Jamato no kami
Ando Boesima no kami

To

His Excellency
Townsend Harris
Minister Plenipotentiary
of the United States of
America, &c, &c, &c.

We have to state to Your Excellency that an Embassy will be sent to Great Britain, France and other Treaty Powers; the Officers to form part of that Embassy are now being appointed, and we have no means to make this known to Prussia. As Your Excellency caused the Treaty with the said Power to be concluded, we would request You to send a letter to that power for us.

Dated with respect and courtesy.
On the 24th day of the 5th month of the 1st ~~Year of~~ Bunkiu (the 1st July 1861.)

(Signed) Kudzi Yamato no kami
Ando Tsusima no kami.

(A true translation)
A. L. C. Portman.
Interpreter.

Enclosure No 1.
with despatch No. 27.
dated July 5 1861

Request to forward a letter
to Prussian Minister for
Foreign affairs announcing
intention to send an Embassy
to European Powers.

No. 65.

Legation of the United States in Japan
Yedo, July 3rd 1861.

To
Their Excellencies
Kudsi Yamato no kami &
Ando Tsusima no kami
Ministers for Foreign Affairs
&c &c. &c.
Yedo.

I have the honor to acknowledge the receipt of Your Excellencies' letter dated the 24th day of the 5th month in which you request me to forward a letter, which You have written to His Excellency the Minister of Foreign affairs of His Majesty the King of Prussia

I have to inform You that in accordance with Your wishes I have sent the letter in question to Count d'Eulenburg the Prussian Envoy, and he will cause it to reach Berlin as quickly as possible

Stated with respect & courtesy
Signed/ Townsend Harris
Minister Resident of the United States in Japan.

Enclosure No. 2.
with despatch No 27.
dated July 5, 1861.

Reply to Ministers for
Foreign affairs; their
letter forwarded.

No. 64.

Legation of the United States in Japan.
Yedo, July 2, 1861.

Monsieur le Comte,

I have been requested by the Japanese Ministers to forward a letter from them addressed to His Excellency the Minister for Foreign Affairs of His Majesty the King of Prussia; and deeming it best to place it in the hands of Your Excellency as speedily as possible, I have despatched it herewith to the care of the Prussian Consul General at Singapore.

I have the honor to endose a translation of the letter addressed to me in this behalf by the Japanese Ministers.

I have the honor to be
Your Excellency's
Most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the
United States in Japan.

Count d'Eulenburg.
Envoy Extraordinary of
H.M. the King of Prussia
&c, &c, &c.

Enclosure No. 3.
with despatch No. 27.
dated July 5, 1869.

Forwarding a letter from the Japanese Government to Count d'Eulenburg the Prussian Envoy to his Government.

No. 28. Extract. Rec. 12. Oct. Mr Alcock

Legation of the United States in Japan
Yedo, July 9th, 1861.

Sir,

It is my unpleasant duty to - inform you that a daring and murderous attack was made on the British Legation in this City on the night of the 5th instant.

Mr Alcock Providentially escaped - uninjured, but Mr Oliphant Secretary of Legation and Mr Morrison Consul for Nagasaki were wounded. - Four of the assailants were killed, and two wounded were made prisoners. - Of the Japanese defenders of Mr Alcock three were killed and fifteen wounded.

For full details of this bloody affair I beg to refer you to the following enclosures

No. 1. Mr Alcock to Mr Harris,	July 6	No 1.
No. 2. Mr Harris to the Ministers for Foreign Affairs	July 8	No 2.
No. 3 Mr Harris to Mr Alcock	" 8	No. 3
No. 4 Mr Alcock to Mr Harris.	" 8.	No. 4

&c.

The Honorable Wm. H. Seward.
Secretary of State
Washington.

The Japanese were evidently taken by surprise, but they soon recovered from it and fought with great bravery, and at last beat off the assailants.

This is the first instance in which a blow has been struck in defence of a foreigner in this Country and may be considered as proof of the desire of this Government to give us protection.

I consider the present as a crisis in the foreign affairs of Japan, for if the Government is too weak to punish the instigators and Agents of this nefarious affair, it may be believed that it will lead to some very decided action on the part of the English Government, for the outrage was too great to be overlooked.

There is a party in this Country, who are opposed to the presence of any foreigners in Japan, and in addition to this, there is a very strong dislike to the English in particular, which feeling seems to attach especially to Mr Alcock. - He was absent from this City for some three months, - during which time the utmost quiet - prevailed - yet within 36 hours after his return the attack in question was -

made on him

I am happy to say, that these prejudices do not extend to our Citizens in this Country and I think that I am personally popular among all classes of the Japanese - Yet it must not be concealed from You that I am, in common with my Colleagues, subject to the same unpopularity that attaches to the presence of all foreigners in Japan.

I have requested the Ministers for Foreign affairs to give me an interview on the 11th instant, and I shall then endeavor to place before them in a forcible manner the great danger that will arise from any want of firm action on their part at this juncture.

I have the honor to be.
Very Respectfully.
Your Obedient Servant.

Townsend Harris
Minister Resident.

Yedo, July 9th. 1861

Townsend Harris

Minister Resident.

No. 28.

4 Enclosures.

Received.

Murderous attack on British Legation in Yedo.-
feeling of Japanese towards foreigners--

Her Majesty's Legation
Yedo. July 6th 1861.

Sir,

Last night between eleven and twelve o'clock the British Legation was suddenly attacked, and an entrance effected at several points simultaneously by armed bands of Japanese, said to be Loonins and by others Prince of Mito's men. Two of the Members of the Establishment Mr Oliphant and Mr Morrison were met in a passage and both wounded, the first I am sorry to say very severely, when a momentary diversion was effected by a Shot from Mr Morrison's Revolver, which appears to have taken effect A few minutes later the same or another division of the assassins sought to effect an entrance to the apartments occupied by myself, by breaking through and hacking in pieces some glass doors opening into another Suite, having mistaken their way. To this alone under Providence we probably owe our lives, for several minutes were thus

Townsend Harris Esqre.
Resident Minister of the United States in Japan.

lost to them, at the end of which the Japanese Daimios guard appear to have come to the spot, and the assailants were finally driven out of the house, after having penetrated into nearly every room except my own, leaving traces of their presence by slashing at all the beds and furniture. Marks of blood were found in various directions and a prolonged conflict took place outside in the avenue and approaches to the Legation with the Officers and men on Service.

Such a deed of atrocity perpetrated in the Capital of a Government to which Foreign Representatives are accredited by the Western Powers needs no comment. I only feel it a duty to communicate to my Colleagues the facts for their guidance and information and to acquaint them that as a temporary measure I have ordered up H.M.S. "Kingdove" and caused a guard of men to be landed. What measures it may be expedient to adopt for future security of this and the other Legations in Yedo and the maintenance of those International rights and immunities so grievously attacked becomes a serious consideration, and one, the pressing importance of which cannot well be overlooked. — But on this

this part of the subject I shall be glad to enter into further communication with You and the rest of my Colleagues. Should You feel disposed to favor me with your views.

I have the honor to be.

Sir,

Your most Obedient

Humble Servant

(Signed) Rutherford Alcock

Her Britannic Majesty's Envoy Extraordinary

& Minister Plenipotentiary in Japan.

Enclosure No 1.
with despatch No 28.
Dated July 9th 1861.

Copy of letter from British
Minister giving an account
of the attack on the Bell Legation
by armed Japanese

No. 70.

Legation of the United States in Japan.
Yedo, July 8,. 1861.

To
Their Excellencies
Kudei Yamato no kami &
Ando Tsusima no kami
Ministers for Foreign affairs
&c, &c, &c
Yedo.

I am informed by Mr Alcock, the British Envoy that an attempt was made on the night of the 5th inst. to assassinate him and the persons attached to the British Legation in this City. - I am further informed that the house was broken into at the same moment of time in three different places, and that during the contest two persons in H.B Majesty's Service were wounded.

This makes the Seventh attack on foreigners within the period of two years and in five of the attempts murder was committed.

Up to this day not one person has been punished for these atrocious crimes.

You have frequently assured me that You were making constant efforts to arrest

there.

criminals, but that You were unable to discover them.

In the present case evidence is in Your possession to enable You to arrest the persons concerned in the last atrocious attempt at murder, for You have made a prisoner of one of the men, and You have a pocket book found on the grounds which contains a list of the names of fourteen of the party; — and these two sources of evidence will enable You to arrest and bring ~~to~~ on to punishment the whole of the gang. — I feel it my duty to Say to You, that in my opinion Your failure to arrest and punish the perpetrators of previous criminal acts has encouraged the present horrible attempt to take the life of Mr Alcock.

I have given You too many evidences of my friendship for You to doubt my good will, and as Your friend, who earnestly wishes to See Japan peaceful, prosperous and happy I now Say to You, that if You do not promptly arrest and punish the author of this last deed of blood, that the most lamentable consequences to Your Country will inevitably ensue, for if You do not punish these men, it will show that You

do

do not wish to do so. - I urge You earnestly to consider this friendly and serious warning.

I propose to have an interview with You in a few days, at which time I will enter more largely into details than I can do in a letter.

Stated with respect and courtesy.

(Signed) Townsend Harris.

Minister Resident of the United States in Japan.

Enclosure No 2.
with despatch No 28
dated July 9. 1861

To Ministers for Foreign
affairs relating to attack
on British Legation.

No. 71.

Legation of the United States in Japan.
Yedo, July 8. 1861.

Sir,

I have the honor to acknowledge the receipt of Your letter of the 6th inst., giving me the particulars of an attack made the previous night by a band of Japanese assassins on H.B.M.'s Legation, and informing me that Mr Oliphant Secretary of H.B.M.'s Legation and Mr Morrison, Consul for Nagasaki were wounded in the mêlée which ensued, - and adding the gratifying intelligence that You had Providentially escaped any bodily injury.

I cannot conceal from You the horror and indignation, which the atrocious attempt on Your life excites in my mind, exceeding as it does in the boldness of its design and in the extent of its intended slaughter all previous essays of the kind.

In the nineteen months that followed the residence of the Foreign Representatives in this city six distinct outrages were perpetrated on

Rutherford Alcock Esquire CB
H.B.M. Envoy Extraordinary &
Minister Plenipotentiary in
Yedo.

the persons of foreigners; - Yet up to this day not one of the persons engaged in those - criminal acts has been made to answer for his crime. - The Japanese Ministers have reiterated the assurance of their anxious desire to arrest and punish the Offenders in question, but have declared their inability to identify them. - In the present case no such plea can be set up, for two of your assailants are - prisoners and a pocket book found on the ground near Your Legation contains a list of the names of fourteen of the gang. - With these two Sources of information in their possession, there cannot be any difficulty in ascertaining the names of the whole band and their consequent arrest and punishment.

Should this Government fail in its duty in the present case, it will be almost conclusive that it is either unable or unwilling to give us that protection, which the punishment of crime would secure by the repression of - criminal designs, and it will then become a matter of Serious Consideration what line of conduct should be adopted to secure to us those rights, which we have guaranteed to us by our Solemn Treaty Stipulations.

I have addressed a letter to the Japanese

Ministers for Foreign affairs in the sense of the foregoing, and I have pointedly shown them that any failure on their part at the present crisis will greatly endanger the peace of their Country.

I propose to have an interview with the Ministers in this behalf, when I intend to urge upon them the necessity that exists for their action in this matter.

In this Connection I beg to say that if You intend to have an interview with the Ministers shortly, that I will defer mine until after Yours has taken place.

I renew to You my cordial congratulations on Your truly Providential escape from a daring and almost successful attempt on Your life.

I have the honor to be
Sir,
Your most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 3.
with despatch. No 28.
dated July 9, 1861.

In reply to British Minister's
letter relating the attack
on his Legation.

No. 37.

Her Majesty's Legation
Yedo. July 8th 1861.

Sir,

I have to thank You for the congratulations of escape from the assassins, conveyed in Your letter of this date, and the expression of Your views upon the present Conjuncture, in which I am glad to say there is a general accordance with my own. If there be any divergence, it is in the absence of all hope on my part that the Japanese Government will behave otherwise on this than on every former occasion of the like nature. They have shown great supineness and indifference hitherto, and appear wholly unconscious of the gravity of the circumstances and the atrocious nature of the outrage offered to the Flag.

I had proposed seeing the Ministers to morrow, but since the event of the 5th I have thought it better to wait an answer to a letter which I addressed them, urging

Townsend Harris Esq.
&c &c &c
U.S. Legation
Yedo.

them to give such full Satisfaction as should relieve them of all charge of — Complicity or indifference

I expect Admiral Hope here also in a few days, which may further induce me to postpone an interview. — If You wish to see the Ministers therefore, I beg I may not be a cause of delay.

I have the honor to be
Sir,
Your most Obedient
Humble Servant.
(Signed) Rutherford Alcock

Her Britannic Majesty's Envoy — Extraordinary and Minister Plenipotentiary in Japan.

Enclosure No. 4.
with despatch No. 28.
dated July 9. 1861.

From British Minister in
reply to letter congratulating
him upon Providential escape
from being assassinated.

Rec'd 12. Oct.

No. 29.

Legation of the United States in Japan.
Yedo, July 10th, 1861

Sir,

I have to pray You to be pleased to lay before the President my respectful request to be recalled as Minister Resident of the United States in Japan.

My first Commission as the Agent of the United States in this Country dates back to August 4th 1855, and during the whole period I have been absent but once from my post of duty. This was under a sick certificate and the whole time of absence was only fifty one days.

The extraordinary life of isolation, that I have been compelled to lead, has greatly impaired my health, and this, joined to my advancing years, warns me that it is time for me to give up all public employment.

I could wish to be relieved early next January, as this would enable me to pass the Red Sea on my return, in the month of March.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant
Townsend Harris
Minister Resident.

The Honorable
Wm H Seward.
Secretary of State
Washington.

Yedo, July 10. 1861.
Townsend Harris
Minister Resident.

No. 29.

No Enclosures.

Received.

Request to be recalled as
Minister Resident in
Japan.

Re 12. Oct

Private.

Legation of the United States in Japan.
Yedo, July 10th 1861

Sir,

I take the liberty of addressing you a private note to call your attention to my despatch No 29 of this date, in which I have requested my recall; and to respectfully ask you to do me the very great favor to give my application your powerful support.

I assure you Sir, that it is in all earnestness that I ask for my relief, as the State of my health absolutely requires me to seek the quietude of private life.

Your Compliance with my wishes in this behalf will ever be gratefully remembered by me.

I have the honor to be, Sir
Your Respectfully
Your Most Obedient Servant
Townsend Harris
Minister Resident.

The Honorable.
Wm H Seward.
Secretary of State
Washington.

No. 28. Confidential

Legation of the United States in Japan
Yedo, July 12, 1864

Sir,

I have the honor to inform you that I had an interview with the Ministers for Foreign Affairs yesterday, and on this occasion I repeated the substance of my letter to them dated the 8th instant, (a copy of which forms enclosure No 2 of my despatch No 27) on the Subject of the late attack on the British Legation; and enlarged on the danger that would attend any vacillation on their part in securing the arrest and punishment of the authors of that criminal attempt on the life of all the persons composing the English Legation.

The Ministers then made the following Statement. — The number of men engaged in the attack was fourteen; of these three were killed on the Spot — and one who was wounded, was made prisoner. Three

The Honorable Wm H. Seward.
Secretary of State
Washington.

more

more were tracked the next morning to Sinagawa; - of these two were found to have ripped themselves up, and the third, who had also wounded himself, was seized. - Both the prisoners were in safe custody and were receiving medical treatment, previous to their being strictly examined. - Lists of the names of the fourteen members of the band were found on the prisoners; - and the Ministers do not doubt, that it correctly states the actual number of those engaged. - The other seven had been traced further and every effort was being made to - arrest them - but that was a difficult matter, and in proof of their statement they informed me that in the parallel case of the murder of the Regent in March 1860; although the assassins were well known, yet up to this time - only one of them had been arrested, although the Government had every possible inducement to stimulate their efforts; and were also aided by the powerful clan of the murdered Prince.

They stated that Mr Alcock had in March last refused his consent to the

posting of the guard as was desired by the Japanese in command at the Legations; and added that had the guard been posted as was desired by them, it might not have prevented the attack; but they were confident the assailants would have been killed or beaten off, before they had penetrated the house.

As to the motives of the attack the Ministers stated, that there was a strong public feeling against all foreign trade and Relations, mainly owing to the increased dearness of every thing since the ports were opened, and also in part to a deeply rooted love for old customs and the traditional policy of exclusion. — The Ministers added that these men belonged to a band of desperate outlaws, willing to make themselves the exponents of the national feelings, — and who gloried in sacrificing their lives in such a cause.

They attacked the British Legation, hoping not only to distinguish themselves by slaying all the Members of the Mission, but also to bring about a war with the Foreigners and thereby secure a return to their old state of isolation.

The

The Ministers stated that they believed the foregoing to be the sole motives that actuated the men, who were all of low degree and were without any instigators or abettors among men of high rank or stations.

They were well aware that these repeated attacks on foreigners and their inability to punish the offenders would cause foreign Governments to look on them with distrust, and perhaps to doubt their sincerity - They hoped that as I had been so long in the Country and knew its condition better than any other foreigner, I would give my testimony in support of the truth of their representations

As to the security of the foreign Representatives here they could assure me that if they were permitted to use the same means for the protection of the Diplomatic Representatives, as they used for their own security, we might safely rely on having the same amount of protection that they enjoyed themselves.

The Ministers desired to repeat the assurance that they were using every means in their power to arrest not only

the

the persons engaged in the last attack, but also of all who had assailed foreign residents.

I transmit herewith Dft. Copy of a letter dated the 11th instant, addressed by me to the British Minister Mr. Alcock.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Yedo. July 12, 1861

Townsend Harris

Minister Resident

No. 30.

1 Enclosure

Received.

Interview with the Minister for Foreign affairs in regard to attack on Br: Legation &c

No. 38.

Legation of the United States in Japan
Yedo, July 11, 1861.

Sir,

I have the honor to acknowledge the receipt of Your letter dated the 8th inst. in acknowledgement of my letter to You of the same date.

You thank me for the expression of my views upon the present conjuncture, in which, You are glad to say, there is a general accordance with Your own, and You add, that, "if there be any divergence, "it is in the absence of all hope on my "part, that the Japanese Government will "behave otherwise on this, than on every "former occasion of the like nature."

I endeavored to avoid expressing any opinion whatever as to the future action of the Japanese Government, and if You will take the trouble to reperuse

Rutherford Alcock, Esquire CB
H.B.M. Minister Plenipotentiary
and Envoy Extraordinary
in Japan.

my letter. I think, that You will see that You have somewhat misconstened the expressions used by me.

I had a long interview with the Ministers for Foreign Affairs to day, and the principal Subject of consideration was the recent outrage on Your Legation

I do not enter into any particulars of the discussion, as I deem it best to leave the Ministers themselves to be their own interpreters in this Matter.

I have the honor to be, Sir

Sir,

Your Most Obedient

Humble Servant

(Signed) Townsend Harris

Minister Resident of the United States

in Japan.

Enclosure No 1.
With Despatch No 20.
dated July 12. 1864

Letter from Mr. Alcock the
British Minister on the Subject
of the attack on the British
Legation.

Re: U. Dis:

No 31. Ent.

Legation of the United States in Japan
Yedo, July 15th. 1861

Sir,

I have the honor to transmit herewith No. 1. Copy of a letter from J. K. de Witt Esquire. Netherland Consul General in Japan, informing me of his decision not to return to this Capital, until further instructed by his Government. No 1.

I also transmit No 2 Copy of my reply to the foregoing. No 2.

I have the honor to be Sir
Very respectfully
Your most Obedient Servant

Townsend Harris
Minister Resident

The Honorable
Wm H. Seward.
Secretary of State
Washington.

Yedo, July 15. 1861
Townsend Harris
Minister Resident

No 31.
2 Enclosures.

Received.

Correspondence with the
Vice Netherlands Consul General
who declines to return to
Yedo. until further instructed
by his Government

N: 224. Consulate General
of the Netherlands in Japan.

Yokohama, July 10th 1864

Sir,

After the attack on the British Legation on the night of the 5th instant I have the honour to acquaint you, that I have decided not to return to Yedo, until I shall have received further instructions from my Government on this subject.

At the same time I have the honour to send You a copy of the letter, whereby I have communicated to the Japanese Ministers this my decision, to which I am led by the same motives, which moved me to leave Yedo temporarily in the beginning of this year.

I have the honor to be Sir
Your most Obedient
humble Servant
(Signed) J. K. de Wit

To
Townsend Harris Esquire
Minister Resident of
the United States in Japan.

Enclosure No. 1.
with despatch No. 21.
dated July 15. 1861

Copy of letter from the
Netherlands Consul General
announcing his decision
not to return to Yedo until
further instructed by his

No. 74.

Legation of the United States in Japan
Yedo, July 11, 1866.

Sir,

I have the honor to acknowledge the receipt of your letter dated the 10th inst. in which you inform me that in consequence of the attack on the British Legation in this City, you had decided not to return to Yedo, until you are further instructed by your Government.

You also enclose copy of a letter addressed by you to the Japanese Ministers for Foreign Affairs, in which you announce to them your decision not to return here, adding that you are led thereto by the same motives which induced you to leave Yedo temporarily in the month of January last.

I return you my thanks for the information you have thus conveyed to me, and at the same time beg to refer

His Excellency H. H. de Witt
H. B. M's Consul General in Japan
Yokohama.

You to be enclosed copy of a letter addressed to me by the Japanese Ministers for Foreign Affairs on the 4th of June, in which they inform me of the punishment inflicted on seven persons for neglect of duty on the night of the murder of the lamented Mr Heusken of this Legation

I have the honor to be
Sir.
Your most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan

Enclosure No: 2.
with despatch No: 21.
dated July 15. 1861.

Reply to the Neth: Consul
General's letter of the 10th
July.

No. 32. Ent.

Rec'd 18. Dec

Legation of the United States in Japan.
Yedo, July 31. 1861.

Sir,

I have the honor to transmit herewith No 1. Copy of a letter from Mr. Alcock, the English Minister communicating the substance of a conference had with the Japanese Ministers for Foreign Affairs on the 23d instant, on the subject of the late attack on the British Legation, and desiring me to meet him and my other Colleagues at a conference with the view of concerting a joint action to be taken in reference to late events. No 1

I enclose herewith No 2. my reply, in which I state that I am constrained to decline meeting him at present at a Conference, but that I shall be ready to Coöperate with him and my other Colleagues in giving effect to any well No 2

The Honorable
Wm H Seward
Secretary of State
Washington.

Considered measures, that may be calculated to improve the State of our relations with the Japanese Government.

My reasons for declining to hold any personal intercourse with Mr Alcock may be gathered by a perusal of his letter to me, dated February 16th and forming Enclosure No1. of my despatch to You No10 dated February 25th; and also letter of Mr Alcock dated February 25th, and forming enclosure No1 of my despatch to You No11. dated March 6th

I have the honor to be Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Yedo. July 31. 1861
Townsend Harris
Minister Resident.

No 32.
Two Enclosures

Received

The British Minister's
interview with Jap: Mins
for L. A.:-
A conference with the
Br Min: declined.

No. 44.

Her Majesty's Legation.
Yedo, July 23d 1861.

Sir,

Referring back to my official letter of the 8th instant, and to Your answer of the 8th, I have the honor to inform You that I had an interview with the Ministers of Foreign Affairs on the 20th instant - with the special object of ascertaining what steps had been taken for the apprehension of the men engaged in the attack on the British Legation on the night of the 5th instant; what information had been obtained as to their numbers, organization and motives; and lastly, what assurance the Government could give of greater security for the future, and exemption from similar attacks on the Legations.

As I consider the attack upon the British Legation, and the attempt at a general massacre of its inmates was merely the execution of an often repeated menace -

Townsend Harris Esquire
Minister Resident of the
United States of America in Japan.
&c &c &c.

addressed to the Foreign Representatives — indiscriminately, and affecting the Security of all alike, I hasten to send You for perusal a Short Summary of the principal points under discussion, and the answers given by the Ministers to the questions and observations I addressed to them. — If You should desire a copy, I shall have much pleasure in placing one at Your disposal.

The final result, will, I think be as clear to my Colleagues as to myself — Our present position is one of avowed insecurity — Neither the lives of Foreign Representatives in the Capital, nor of their Countrymen at the ports are under the Safeguard of any effective protection from the Government of the Country. They treat the attack on one of the Legations, and the all but successful attempt to massacre its inmates, as one of those things for which there is neither remedy nor redress, — as a contingency which may happen to any one in Japan and to be regarded therefore very much as a matter of course. The Regent was murdered in the streets surrounded by his guards, and so may we be —

They could not prevent, neither have they succeeded in arresting the perpetrators of the

crime in his case, where they had every interest, and cannot therefore be held responsible for better success when others are concerned. - The State of public feeling and opinion so — inimical to us, to all Foreign trade and relations; partly from a love for old customs and traditions, partly from a general belief that the increased dearness in every article of Japanese consumption is exclusively due to the demand made by Foreign trade on the limited productions of the Country; and that such trade therefore is an unmitigated evil, to be got rid of by any means or at any cost. As a corollary to these facts, assumed or real, they draw the conclusion that beyond taking certain demonstrably ineffective measures to preserve Foreigners from outrage, and murder, nothing more can be immediately effected, or expected of the Government; and the sole hope of future improvement lests on allaying this general excitation of national feeling by preventing the further extension of Trade; and notably by <u>deferring the opening of more places</u>. - Of course, this principally is insisted upon, because as regards those Ports already open, it rests with the Japanese Government to restrict the trade as

much as they see fit; and the obstructions and limitations of every kind now existing so far to render all foreign trade unprofitable, and threaten soon to render it impossible.

With no present security and no promise of improvement in the future, except at the price of a tacit acquiescence in restrictions the most onerous that can be devised on all freedom of trade, of social intercourse, and of individual action; and the formal abandonment of an important Treaty right in the opening of new ports; - this in resumé, is the position offered us: the final result of the Ministers' deliberations with the Council, and the policy which they propose to adhere as the only one suitable to present circumstances. - How far the Western Powers, to each of whom the Taikoon has addressed a letter in accordance with this policy, will be disposed to accept such a programme of present and future relations with Japan remains to be seen. No doubt they will be much influenced by the opinion they may form as to the amount of good faith exhibited by the Japanese ruling Powers. - If it be really believed that the Government of the Taikoon has to contend with a national feeling of hostility

to foreign trade and relations, - in no way to be referred to any action of the Government artificially to create such animus, - but one which has arisen spontaneously - and is beyond their control - and that to oppose this would be to involve them in a revolution or internecine war - which is the ground taken by the Japanese Ministers - then however disadvantageous and unprofitable the position occupied by Foreign Powers, they may hesitate to follow any course of action likely to lead to consequences so - disastrous to all parties -

But if, on the contrary, they should see reasons to conclude that this spirit of hostility has no real existence among the people, but only among the privileged classes who constitute the Government - the Daimios and their retainers, - that from them solely proceed all attempts at intimidation, all danger and obstacles; - if they should further believe that these, profiting adroitly by any temporary increase of prices owing to a sudden demand for the Foreign market, add to the mischief by stopping the free transport of rice from their several districts and territories, and disseminate alarming reports of the

ultimate consequences of an extension of foreign trade; and finally, that to these same Daimios and ruling classes is to be traced a whole system of intimidation backed by frequent acts of violence and assassination, all calculated to give effect to a policy of reaction for the ultimate exclusion of the Foreigner; it cannot be doubted that any Government will hesitate by unresisting acquiescence to crown with success a policy of this Machiavellian stamp, founded on falsehood and supported by assassination.

In any case the position offered to the Treaty Powers, equally devoid of present profit and future promise (promise, that is, with any reasonable chance of fulfilment) Yet compromising in all that relates to national dignity, is one open to many and grave objections. And I look upon the interview of which I now transmit You the details as especially important at the present moment taken in connection with the recent attempted massacre at the Legation, and the letter of the Tycoon calling upon Foreign Powers to relinquish their Treaty rights; because it leaves the political situation clearly exposed, and more accurately defined than it has ever been before. - And inasmuch as the Ministers are urgent as to the necessity for a prompt

answer, that they may without loss of time allay the fermentation in the minds of the people, - fraught with such danger to foreigners and to the stability of existing relations - I believe the time has come, when the Treaty Powers cannot defer taking all the circumstances into serious consideration, and coming to some decided conclusion as to the course of action best calculated to put an end to this unequal struggle, in which their Diplomatic Agents are engaged in a vain endeavor to maintain intact Treaty rights by Diplomatic means; while the arms used against them are those of the bravo and assassin.

What line of conduct and course of general policy may eventually be best adapted to meet the exigencies of such a position is a grave question and full of difficulty, but one for the decision of Governments rather than Diplomatic agents.

I shall feel it my duty therefore so to conduct affairs in the interim, in regard to British interests as to leave the final decision, if possible, entirely in the hands of Her Majesty's Government, without committing them by anticipation to any specific course. - And as I think it probable that some interchange

J.

of opinions and general accord may be sought between our respective Governments, on receipt of the Despatches the next mail will convey from Japan, it seems very desirable that there should preliminarily be a free interchange of opinions between their Representatives on the Spot. If these should prove essentially alike, it would greatly aid the formation of a clear and concurrent Opinion among those with whom the final decision of a future policy will rest, and if otherwise they would still gain some useful indications in the evidence of divergence.

With this view I have freely communicated to You and the rest of my Colleagues all the information in my possession on the subject of the late attack; and I shall be glad if You and they will concur with me in securing this object, either by means of a Conference or in any other way that shall seem better adapted to elicit a candid expression of opinions.

I have the honor to be
Sir,
Your Most Obedient
Humble Servant.
(Signed) Rutherford Alcock
H Bm's Envoy Extraordinary &
Minister Plenipotentiary in Japan.

Enclosure No 1.
with despatch No 22
dated July 31. 1861.

Copy of letter of Sir
Alcock the British Minister
dated July 23. relating his
interview with the Min for Fd
Affairs late attack on the Legation

No. 83.

Legation of the United States in Japan
Yedo, July 29, 1861.

Sir,

I have the honor to acknowledge the receipt of your letter dated the 23rd instant, in which you inform me of the particulars of your interview on the 20th instant with the Japanese Ministers for Foreign Affairs, in reference to the attack made on H.B.M.'s Legation in this City on the night of the 5th inst.

You also sent to me for my information a note of the Conference in question; - this paper I return to you with my thanks for your attention.

I am constrained to decline meeting You at present in a Conference, but I shall be ready to coöperate with You and my other Colleagues in

Rutherford Alcock Esquire C.B.
H.B.M.'s Envoy Extraordinary &
Minister Plenipotentiary
in Japan.

giving effect to any well considered measure
that may be calculated to improve the
State of our relations with the Government
to which we are accredited.

I have the honor to be
Sir
Your most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

as regulations in Japan.

Enclosure No 2.
with despatch No 82.
dated July 31. 1865

Relating to Coöperation
with the British and other
Ministers in improving relations
with the Japanese Government.

No. 33. Cont.

Mr Harris to Mr Cass

Legation of the United States in Japan
Yedo, August 2, 1861

Sir,

I have the honor to transmit herewith copy of my despatch No. 29 dated July the 10th requesting my recall as Minister Resident of the United States in Japan.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Yedo. August 2. 1860

Townsend Harris

Minister Resident

No. 33.

1 Enclosure

Received.

Enclosure copy of Despatch
to Dy. requesting to be
recalled as Minister
Resident in Japan.

Private.

Legation of the United States
in Japan, Yedo July 10, 1861

Sir,

I take the liberty of addressing you a private Note to call your attention to my despatch No 29 of this date, in which I have requested my recall; - and to respectfully ask you to do me the very great favor to give my application Your powerful support.

I assure you, Sir, that it is

The Honorable
Wm H, Seward
Secretary of State
Washington.

for my relief as the state of my
health absolutely requires me to
seek the quietude of private life

Your Compliance with my
wishes in this behalf will ever
be gratefully remembered by me

I have the honor to be Sir
Very respectfully
Your Obedient Servant.
Townsend Harris

Sir,

I have to pray You to be pleased to lay before the President my respectful request to be recalled as Minister Resident of the United States in Japan.

My first Commission as the Agent of the United States in this Country dated the 6 August 4, 1855; - and during the whole period I have been absent but once from my post of duty. - This was under a sick certificate and the whole time of absence was only fifty one days.

The extraordinary life of isolation, that I have been compelled to lead, has greatly impaired my health, and this joined to my advancing years

The Honorable
Wm H Seward,
Secretary of State
Washington.

[illegible]
January as the multitude can be
spar de tolde on my return in the
month of March.

I have the honor to be &c.
Your respectfully
Your Obedient Servant
(Signed) Joaquin Manuel
Minister Resident.

Enclosure. No 1.
with despatch No 23.
dated. August 2. 1861

Copy of despatch requesting
to be recalled as Minister
Resident of the U.S. in Japan.

No. 18. Desp.

No. 34. Cont

Legation of the United States in Japan
Yedo, August 20th 1861.

Sir,

I have the honor to transmit herewith Copies and translations of a Correspondence with Mr de Bellecourt French Chargé d'Affaires, as follows:

No. 1. Mr de Bellecourt to Mr Harris August 4th No 1
No. 2. Mr Harris to Mr de Bellecourt August 15th. No 2
No. 3 Mr de Bellecourt to Mr Harris August 15th. No 3

I have the honor to be Sir
Very Respectfully
Your most Obedient Servant

Townsend Harris
Minister Resident

The Honorable
Wm H Seward
Secretary of State
Washington.

Yedo, August 20, 186

Townsend Harris
Minister Resident

No. 34.
3 Enclosures.

Received.

Correspondence with
the French Chargé d'Affaires
Submitting questions
on the state of affairs
in Japan).

Légation
&
Consulat Général
de France
à Yedo
Japon.

Yedo le 4. Août, 1861

Monsieur le Ministre.

L'interpétation et l'observation d'un grand nombre des clauses des Traités, conclus entre les Puissances Occidentales et le Japon, ont depuis ces deux années d'épreuves, subi de notables altérations, tantôt par suite d'une certaine inexpérience du Gouvernement Japonais, tantôt aussi par suite de la résistance des partisans de l'ancien isolement, que ce Gouvernement s'est cependant engagé à faire cesser, en signant au nom de la Nation un pacte solennel d'alliance avec la civilization occidentale.

On peut comprendre que le Gouvernement Japonais ait rencontré de grands obstacles dans l'accomplissement de cette oeuvre, mais on peut se demander aussi, s'il n'aurait pas pu gagner davantage sur les antagonistes de la nouvelle politique. - Ni les Conseils, ni les indications de toute nature sur la manière dont on doit

A Son Excellence
Monsieur Townsend Harris
Ministre des Etats. Unis
&. &. &. au Japon

entendre et pratiquer les relations internationales régulières ne lui ont été épargnées pour aider, soit à son inexpérience, soit à son action sur les partis hostiles : cependant les améliorations progressives, sur lesquelles comptait la diplomatie étrangère, ne se sont fait sentir, ni dans la proportion de nos efforts, ni dans celle des promesses faites à cet égard par le Gouvernement japonais ; et il semble, qu'au lieu de compter, ou de chercher à ramener les éléments indigènes opposés à l'établissement de rapports franchement cordiaux avec l'extérieur, qu'au lieu d'emprunter à la nécessité des temps les arguments nécessaires pour aider le pays dans l'œuvre de sa transformation, le Gouvernement ait au contraire cédé aux entraînements des partis hostiles, acharnés à chercher dans l'arsenal des vieilles lois et coutumes de l'Empire des prétextes à une résistance qui, si elle est poussée trop loin, entraînera tôt ou tard fatalement les plus regrettables complications et les plus grands malheurs.

En jugeant sans esprit de passion tout ce qui se déroule autour de nous depuis deux années, on ne peut s'empêcher d'éprouver un double courant de sentiments, l'un portant l'esprit à disculper en plusieurs points ce

Gouvernement en raison des difficultés de la tâche ; l'autre, portant à l'accuser d'une faiblesse malheureuse, qui l'entraîne jusqu'aux limites d'une sorte de complicité morale, désastreuse pour l'avenir du pays.

Dans de telles conjonctures n'est il pas du rôle, je dirai même, du devoir de tous ceux qui ont à combattre ces tendances funestes, soit pour accomplir le mandat qui leur est confié, soit aussi pour témoigner de l'intérêt naturel, qui s'attache à une Nation bien douée, de renouveler unanimement des Conseils et des insistances, dont la franchise, si pénible qu'elle puisse être, aura peut-être pour résultat d'impressioner efficacement l'opinion publique, et de ramener tous les pouvoirs du pays, toutes les influences qui s'y font sentir à une marche régulière, accentuée dans les progrès, et dégageant par conséquent le peuple Japonais de tous les dangers, qui peuvent naître de situations équivoques trop longtemps prolongées ?

C'est par suite de ces considérations, comme du sincère désir dont je suis animé, ainsi que mon Gouvernement, de ne rien négliger pour coopérer ici à l'oeuvre de la paix et de la Concorde, que j'ai dressé une Série de

questions sur la situation actuelle des relations du Japon avec les étrangers. - Je prendrai la liberté, Monsieur le Ministre, de mettre Confidentiellement sous vos yeux cette pièce, dont la forme indique suffisamment, qu'elle n'est pas destinée à être communiquée au Gouvernement Japonais dans sa teneur actuelle.

J'ai l'espoir, Monsieur le Ministre, que vous voudrez bien me faire savoir votre avis tant sur ces questions que sur l'opportunité d'un accord des agents diplomatiques étrangers entre eux, sur une série de représentations sérieuses, qui faite, soit séparément, soit collectivement, au Gouvernement Japonais, auraient peut être pour effet de leur fournir, par l'unanimité de leurs vues, des armes utiles pour combattre les passions aveugles, qui semblent s'opposer en ce moment au développement, et même à la régularité des relations des Etats Occidentaux avec cet Empire.-

Veuillez agréer, Monsieur le Ministre, l'assurance de la haute considération, avec laquelle j'ai l'honneur d'être

de Votre Excellence

le très humble et très obéissant Serviteur

(Signé) Duchesne de Bellecourt

Chargé d'affaires de France au Japon.

Yedo. Juillet 1860.

Questions sur l'état des affaires au Japon.

La surexcitation des esprits contre les étrangers au Japon n'a-t-elle pas été fomentée par des insinuations occultes, provenant des partis hostiles à l'exécution des Traités, et employant pour arriver à leur but des manoeuvres habiles, consistant à fausser le jugement des masses sur la véritable portée des relations avec l'extérieur - principalement: en laissant attribuer faussement la cherté actuelle du riz, dont les Traités prohibent cependant l'exportation, aux conséquences des transactions commerciales des étrangers sur cette denrée, qui est la base de l'alimentation générale, et dont les prix élevés, dûs en réalité, tant à de mauvaises récoltes, qu'à des accaparements perfides, excitent parmi les populations Japonaises une souffrance véritable et générale?

Peut on dire que le Gouvernement Japonais ait pris les mesures nécessaires, tant pour rectifier ces erreurs, que pour rassurer les populations contre les craintes exagérées de toute nature, que l'esprit de parti leur faisait concevoir sur les conséquences des relations avec l'extérieur?

La défiance témoignée par le Gouvernement

Japonais lui-même aux Représentants Etrangers, le soin qu'il a pris par l'intermédiaire de ses nombreux Officiers de les séquestrer de toute relation avec le peuple, ou pour mieux dire avec toutes les classes sociales, les minutieuses précautions prises dans ce but d'isolation, n'ont-ils pas servi d'encouragement à l'esprit public, pour accepter plus facilement les données erronées, que les partis hostiles aux étrangers ont pu répandre ainsi sans contrepoids parmi les masses? L'influence de l'action de la diplomatie étrangère n'a-t-elle pas été ainsi toujours paralysée par ces moyens restrictifs, c'est-à-dire par cette interdiction formelle de toute communication avec les classes de la Société indigène, qui au Japon, comme dans les autres pays à relations régulières, auraient pu le pénétrer à notre contact de la sincérité cordiale, du désintéressement et du respect des Puissances contractantes pour l'ordre des choses établi au Japon, Gouvernement et institutions diverses?

Peut-on dire, que le Gouvernement Japonais ait fait tous les efforts, dont les Traités lui imposaient l'obligation, pour faire connaître au peuple et à tous les grands personages du pays, qu'il a déclaré soumis à ses Directions Suprêmes, que la conclusion de ces Traités ouvrait

une ère toute nouvelle, et abolissait par conséquent l'ancienne loi d'exclusion des étrangers, et les coutumes et usages découlant de cette loi désormais condamnée?

Ne peut-on pas dire, au contraire, que beaucoup de symptômes attestent non-seulement qu'on a négligé dans le monde officiel le soin d'éclairer le pays sur la portée des engagements conclus, et sur la nécessité de les observer, mais encore, qu'on s'est efforcé graduellement et par mille moyens de prouver au peuple Japonais, que ces obligations n'avaient pas une bien grande valeur, et qu'on pouvait sans danger les considérer à peu près comme une lettre morte?

Peut-on dire, que le Gouvernement Japonais ait apporté dans ses propres relations avec la diplomatie étrangère, cet esprit de franchise, que les Puissances contractantes étaient en droit d'attendre en accréditant leurs agents à Yédo?

N'a-t-on pas caché avec soin aux Représentants Etrangers tout ce qui concerne
l'histoire du pays,
ses institutions,
l'organization du Gouvernement
les événements soit contemporains soit passés.
les productions et ressources des différentes contrées?
et enfin les diverses causes d'obstacles que l'

exécution des Traités pourraient rencontrer de la part de telle ou telle influence, de manière à éclairer la diplomatie dans ses appréciations, et à lui permettre de conseiller aux Gouvernements étrangers des transactions plus ou moins étendues, mais consenties alors en complète connaissance de cause, et dans un intérêt commun bien et dûment entendu?

Le Gouvernement Japonais a-t-il exécuté, dans de douloureuses circonstances, les clauses si importantes des Traités, qui lui font un devoir d'assurer la Sécurité des étrangers au Japon; et en cas de crime, de rendre une justice impartiale, ou de la faire rendre par qui de droit; un devoir enfin: (dans le cas d'impossibilité absolue, soit pour une cause soit pour l'autre) de fournir franchement aux Agents étrangers, chargés de la protection de leurs Nationaux toutes les preuves désirables de l'activité et de la régularité, des instructions enquêtes ou poursuites faites en vue de donner de sérieuses réparations; ou du moins d'éclairer les Représentants étrangers sur la nature des obstacles qui peuvent entraver le cours de la justice?

Le Gouvernement Japonais n'a-t-il pas cherché au contraire dans diverses affaires

de cette nature à obscurcir la vérité, à dénaturer les faits et enfin à laisser tomber dans le plus complet oubli crimes et enquêtes. comme si la vie des étrangers était encore, conformément à l'ancienne loi de proscription) à la merci du premier indigène venu?

Le Gouvernement Japonais n'a-t-il pas été plus loin encore, en se prêtant à des manœuvres d'intimidation, pratiquées sur une vaste échelle, tant à l'égard des légations, que des résidents eux-mêmes, comme s'il y avait lieu d'espérer, que sous de telles pressions les étrangers signeraient eux-mêmes leur abdication volontaire, et que les traités tomberaient ainsi sans secousse en désuétude?

N'a-t-on pas raison de dire que même en ce moment, bien qu'il existe, en effet une certaine surexcitation dans les esprits (soit spontanée soit factice) le Gouvernement Japonais se prête à l'exagérer davantage encore et cherche à l'exploiter dans l'espoir d'obtenir par ces tristes moyens d'importantes restrictions aux Traités, comme si au lieu d'avoir à remplir un rôle pondérateur, le Gouvernement n'avait qu'à se rendre l'organe des mauvaises passions excitées par les partis hostiles aux étrangers?

En matière Commerciale le Gouvernement Japonais a-t-il apporté tous ses soins à assurer l'exécution des Traités?

La question monétaire est-elle résolue conformément aux Traités?

L'ingérence des Officiers administratifs ne se fait elle pas sentir dans toutes les transactions, sinon directement

sur les Européens, du moins d'une manière flagrante sur les indigènes, qui ne peuvent rien conclure sans l'autorisation des officiers, et qui subissent continuellement leur contrôle arbitraire au grand détriment de la liberté commerciale consacrée par les Traités?

Peut-on dire que tout Japonais ait le droit d'acheter et de se servir, ainsi que le stipulent les Traités, de tout ce que les étrangers auraient à leur vendre, ou que les indigènes puissent livrer librement aux étrangers tout ce qu'ils auraient à vendre à ceux-ci?

Peut-on dire que les contrats et marchés passés par les indigènes soient garantis dans leur exécution par l'action impartiale de l'administration Japonaise?

En un mot peut-on dire après ces deux années d'épreuves, qu'il faille mettre une entière confiance dans les promesses d'améliorations, que sont données aux étrangers par le Gouvernement Japonais?

Peut-on dire d'après les résultats obtenus jusqu'à ce jour, et en présence de ces sortes d'aveux d'impuissance donnés par le Gouvernement Japonais, qu'il ait dans l'avenir la force nécessaire, pour faire prévaloir les améliorations, dont il offre la perspective pour prix de concessions nouvelles?

N'est-il pas à craindre, que ces concessions n'encouragent les partis hostiles à en demander de nouvelles et de plus importantes?

Enfin, si avec le peu de données que nous avons

sur

sur l'organisation intérieure de cet Empire, nous nous trouvons portés à admettre, que l'hostilité qui suit au développement de nos relations avec le Japon n'est que l'œuvre d'une faction hostile des Princes puissants qui se partagent le Sol, si nos embarras actuels, si la surexcitation générale des esprits est due à l'influence fatale de certains pouvoirs du pays (Daimios ou autres) qui n'ayant pas approuvé la conclusion des Traités, et ne les ayant tolérés qu'à titre d'essai seulement, auraient aujourd'hui la force nécessaire pour en exiger l'anéantissement de la part du Gouvernement indigène qui les a conclus, ne serions nous pas fondés, en suivant cette hypothèse, à porter sur le Gouvernement du Taicoun un jugement d'incapacité avérée, et à déclarer, que les Puissances Occidentales ont Contracté avec le Japon des Traités plus factices que réels, en le sens que trompées par un pouvoir, qui s'est présenté à Elles comme le pouvoir dirigeant, unique et seul responsable de l'Empire, elles ont conclu de bonne foi des Contrats Synalagmatiques, dont une des parties Signataires serait cependant notoirement impuissante à accomplir ou à faire accomplir ces engagements?

Et si, dans l'hypothèse contraire on se trouve d'accord sur la capacité, comme sur la régularité des pouvoirs du Gouvernement, qui a conclu les Traités avec les Puissances Occidentales, et s'est

engagé en les ratifiant à les faire tenir pour valides et obtenir fidèlement au Japon, n'y-a-t-il pas lieu pour la diplomatie d'essayer de prévenir toutes causes de complications, en rappelant à ce gouvernement, que l'intérêt du pays exige, que sa politique extérieure soit modifiée d'une manière plus conforme aux stipulations de conventions souscrites volontairement, en dehors de toute pression étrangère, et dont la teneur ne saurait être changée que par le consentement mutuel des parties contractantes, surtout si l'on tient compte de cette importante considération, que les Traités ne stipulent l'admission des étrangers au Japon, que sur des parties extrêmement restreintes du territoire de cet Empire.

Legation
&
Consulate General
of France
at Yedo
Japan.

Yedo. the 4th August, 1861.

Sir.

The interpretation and the observance of several clauses of the Treaties concluded between the Western Powers and Japan, have during these two years of trial been subject to notable alterations, owing sometimes to a certain inexperience of the Japanese Government, and also to the opposition, of those, who are in favor of the former State of isolation, which should have ceased to exist by agreement of this Government, when in the name of the Nation it signed a solemn covenant of alliance with Western Civilization.

It may be conceived that the Japanese Government met with great obstacles in the execution of that Work; yet it remains a question, whether It could not have been more successful against the antagonism to the new policy. Advice and hints of every description on the manner in which the regulated International

To His Excellency
Townsend Harris
Minister of the United States in Japan
&. &. &.

relations should be understood and carried out, have certainly not been wanting in aid of its inexperience or of its action upon the hostile parties. - The gradual ameliorations however, which the foreign diplomacy were led to expect, have not been forthcoming, either in proportion to our endeavors, or to the promises made to that effect by the Japanese Government; and it seems, that instead of subduing or seeking to bring back the native elements from their opposition to the establishment of foreign relations of frank cordiality - that instead of deriving from the signs of the times argument, calculated to aid the Country in the work of its transformation. - this Government on the contrary has given way to the pressure of the hostile factions, intent upon looking to the ancient laws and customs for pretexts for an opposition, which, if pushed too far, cannot fail sooner or later to lead to the most deplorable complications and the greatest misfortune.'

Calmly reviewing all that has taken place within our observation during two years, the unavoidable result is a train of thoughts of a twofold nature; one, inclining the mind to exonerate this Government in many respects in view of the difficulties of its task, the

other

other tending to accuse it of an unfortunate weakness, carrying it to the verge of a sort of moral complicity, pregnant with danger for the future of the Country.

Under such circumstances is it not proper, I dare say, the duty of all those who have to contend against those fatal tendencies, either to fulfill the Mission confided to them, or in proof of the interest naturally felt in a nation so highly gifted, unanimously to renew advice and recommendations with frankness; however painful this may be, it will perhaps result in creating an effectual impression on public opinion, and in leading, all the powers of the land, all the influences that are felt therein, back to their regular course, distinctly marked in its progress, and consequently freeing the Japanese people from all the dangers, which a state of affairs under misunderstanding and too long continued may call into existence.

From these considerations and from a Sincere desire, by which I am animated as well as my Government, not to neglect coöperating here at the Work of peace and harmony, I have written a Series of questions upon the relations between the foreigners and Japan. I beg leave Monsieur le Ministre to lay this document confidentially before you; it form sufficiently

indicate

indicates, that in its present tenor it is not intended to be communicated to the Japanese Government.

I hope, Monsieur Le Ministre, that You will inform me of Your opinion on these questions, and of Your views in regard to an understanding between the foreign diplomatic Agents upon a series of serious representations to be made to the Japanese Government by them, either separately or collectively - and which would have perhaps for result, by the unanimity of their views, to furnish it with useful weapons in putting down the blind passions, which at this moment seem to oppose themselves to the development, and even to the regular course of the relations of the Western Powers with this Empire

Be pleased to accept Monsieur le Ministre the assurance of the high consideration with which I have the honor to be

Your Excellency's
very humble and
very obedient Servant
(Signed) Duchesne de Bellecourt
Chargé d'affaires de France
au Japon.

Yedo, July, 1860

Questions on the State of Affairs in Japan

Has not the strong dislike to foreigners in Japan been fomented by secret insinuations from the parties hostile to the execution of the Treaties, whose clever machinations to that effect tended to create a false impression on public opinion in regard to the true bearing of foreign relations, - principally, by falsely attributing the present high price of rice, the exportation whereof is prohibited by the Treaties, to the influence of foreign trade, while the high prices of this article, the staple food of the country, are in reality due to bad crops, and to the buying up and shameful withholding from the market; in this manner creating real and general Suffering among the Japanese population?

Can it be said, that the Japanese Government has taken the necessary measures to remedy these errors, and to reassure the populations against the exaggerated apprehensions of every description, which party Spirit held up before them as the result of foreign relations?

The mistrust shown to the Foreign Representatives by the Japanese Government itself, the care taken through their numerous Officials to prevent all intercourse between them and the people;

or

or rather all classes of society; the infinite precautions in view of securing their isolation, did they not tend to strengthen public opinion in believing more readily the erroneous notions, which the parties hostile to foreigners have been able to spread among the masses, without check or hindrance.'

Has not the influence of the action of foreign diplomacy been always thus paralyzed by those measures of restriction, that is: by being formally prohibited from all intercourse with the classes of Society, who in Japan, as in all countries, where relations are regularly established, could have personally convinced themselves of the cordial sincerity, the disinterestedness and the respect of the contracting Powers for the state of things, Government and diverse institutions as established in Japan?

Can it be said, that the Japanese Government, in conformity with the Treaties, has exerted itself to make known to the people and to all the high personages of the land, whom it declared to be subject to its rule, that the conclusion of these Treaties opened a new era, and consequently - abolished the ancient law of exclusion of foreigners, and the customs and usages founded upon a law thenceforward become obsolete?

Can it not be said on the contrary that many

Symptoms.

symptoms show, not only, that in the Official world the duty to enlighten the country upon the bearing of the engagements, and the necessity to observe them has been neglected, but also, that a gradual effort has been made by thousand means to prove to the Japanese people, that those obligations had no great value, and that there was no danger in considering them pretty much as a dead letter.

Can it be said, that the Japanese Government has observed in its relations with the foreign diplomacy that spirit of frankness, which the contracting Powers had a right to expect, when accrediting their agents at Yedo.

Has not been carefully concealed from the Foreign Representatives all that concerns,

the history of the Country:

Its institutions,

the organization of its Government

the events of the day and those of the past.

the productions and resources of the various principalities.

and also the diverse causes of obstacles to be encountered in the execution of the Treaties from such or such an influence, in order to enlighten diplomacy on its appreciation thereof, and to enable it to advise the Foreign Governments in matters of

more

more or less extent, and been consented to after a full knowledge of the facts, with an interest in common, well and duly understood."

Has the Government of Japan, under painful circumstances, carried out the important clauses of the Treaties, rendering it its duty to secure the safety of foreigners in Japan, and in case of crime to do impartial justice or cause it to be done; a duty (in the case of absolute impossibility for one cause or other) frankly to furnish to the foreign agents, charged with the protection of their countrymen, all necessary proofs of the activity and regularity of the instructions & investigations, in view of procuring satisfaction, or at least to inform the Foreign Representatives of the nature of the obstacles in the way of obtaining justice?

Has not the Japanese Government on the contrary in various occurrences of that kind sought to conceal the truth, to distort the facts and at last to consign to oblivion crimes and investigations, as if the lives of foreigners were still (according to the ancient laws of proscription) at the mercy of the native?

Did not the Japanese government go further still by countenancing machinations of intimidation on a large scale, directed against the legations and

also

also against the Residents, as if there were reason to hope, that under such pressure the foreigners would leave of their own free will and the Treaties thus naturally fall to the ground?

Is it not true, that even at this moment, (though there really exists a certain overstrain in the minds of the people (either spontaneous or factitious) the Japanese Government is intent upon exaggerating this still more, in the hope of deriving from it by these means important restrictions to the Treaties, as if, instead of acting a leading part, the Government were only the agent of the bad passions excited by the parties hostile to foreigners?

Has the Government taken care to assure the execution of the Treaties in commercial matters?

Has the Coinoney question been settled in Conformity with the Treaties?

Has not the action of the Officials been perceptible in all the transactions, if not directly upon the Europeans, at least in a marked manner upon the Natives, who cannot close any matter whatever without being authorized by the officials, whose arbitrary control, constantly felt, is detrimental to the freedom of trade established by the Treaties?

Can it be said that any Japanese has the right

to buy and to use according to the Treaties. all that foreigners would have to sell them, or that the Natives can freely deliver to strangers all. that they might have to sell to them?

Can it be said, that the Contracts and bargains made by the Natives are garanteed to be carried out by the impartial action of the Japanese executive &c &c?

Can it be said after those two years of trial, that an entire confidence may be placed in the promises of improvements held out to foreigners by the Japanese Government?

Can it be said from the results thus far — obtained and from this sort of acknowledgment of impotence by the Japanese Government, that it may in the future have the strength to — enforce those improvements held out as the price of new concessions?

Is it not rather to be apprehended, that such concessions will encourage the hostile parties to demand new and more important ones?

If, with the scanty information in regard to the internal organization of this Empire in our possession, we are to admit, that the hostility to the development of our relations with Japan is only the work of a hostile faction of the Kuge, among whom the Soil is divided, if our present trouble,

&c.

if the general disturbance of public opinion is owing to the fatal influence of certain powers in the Country (Daimios or others), who having disapproved of the conclusion of the Treaties, and only tolerated them by way of experiment, should now have the necessary power to demand their being annulled by the Government which concluded them, would we not then be justified, in following this hypothesis, to charge the Government of the Taicoon with incapacity, and to declare, that the Western Powers have entered into Treaties with Japan more factitious than real; in this manner, that deceived by an authority which presented itself to them as the sole, directing and responsible power in the Empire, they have in good faith concluded mutual agreements, one of the parties to which would be notoriously powerless to fulfill or to cause the fulfillment of its engagements?

And if, the hypothesis be reversed, in the case of acknowledgment of the capacity, as also of the regularity of the powers of the Government, which concluded the Treaties with the Western Powers and bound itself by their ratification to secure their validity and faithful observance in Japan, is there not good reason for the diplomacy to endeavor to prevent all causes of complications

Enclosure No 1.
with despatch No 34.
dated August 20th 1861.

Copy and translation of letter and questions relative to diplomatic intercourse in Japan. in view of joint action of the foreign Representatives on that subject by M. de Bellecourt French Chargé d'affaires in Japan.

A true translation
A. L. C. Portman.

by reminding this Government, that the interest of the Country requires, that its foreign Policy be modified in a manner more conform to the stipulations of the conventions voluntarily subscribed to, without any foreign pressure whatever, the tenor of which cannot be altered without the mutual consent of the contracting parties, and that is moreover this important consideration, that the Treaties stipulate for the admission of foreigners in Japan within limits much restricted.

No: 84.

Legation of the United States in Japan
Yedo, August 15, 1861.

Sir,

I have the honor to acknowledge the receipt at Kanagawa of Your letter dated the 5th instant. — My absence from this Legation has delayed my reply to You.

You enclosed a paper containing some twenty questions, relating to the present State of affairs in Japan; and You desire me to inform You of my views on these questions

It will give me great pleasure to interchange opinions with You, but I am not prepared to answer interrogatories relating to matters, on which Your opinions are reserved.

Whenever You are pleased to favor

His Excellency Duchesne de Bellecourt
Chargé d' Affaires of France
in Japan.

me with Your views in relation to the
subject matters contained in Youre -
questions. I shall hasten to give You my
opinions in return.

I avail myself of this occasion to renew
to Your Excellency the assurance of the high
consideration with which

I have the honor to be
Your Excellency's
Most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan -

Enclosure No 2
with dispatch No 34
dated August 20 1861

Reply to letter of the French
Chargé d'affaires of the 4th August
with enclosure:-

Légation et
Consulat Général
de France
à Yédo
(Japon)

Yédo le 15 Août 1861

Monsieur le Ministre

J'ai reçu la lettre que vous m'avez fait l'honneur de m'écrire en date de ce jour, en réponse à celle que j'avais adressée à Votre Excellence le 4 de ce mois

Je regrette bien, Monsieur le Ministre, que votre absence de Yédo ne nous ait pas permis d'échanger plus tôt nos idées sur les vingt et quelques questions, que j'ai eu l'honneur de soumettre à votre appréciation; car depuis ce moment il est survenu plusieurs incidents, qui me paraissent moins opportune, qu'il y a quelques jours, l'entente commune, qu'il me semblait si désirable de voir s'établir entre les Agens diplomatiques accrédités à

A Son Excellence
Monsieur Townsend Harris
Ministre des Etats Unis au Japon
&c &c &c.

Yédo.

faits sur les différents points, relatifs à nos relations actuelles avec le Japon.

Quant à mes appréciations personnelles sur ces questions, j'ai l'honneur de me référer à la lettre d'envoi du 4 Août, qui accompagnait cette communication — Confidentielle, désormais sans objet.

Veuillez agréer, Monsieur le Ministre les assurances renouvelées de la haute considération, avec laquelle j'ai l'honneur d'être

de Votre Excellence

très humble et très obéissant

Serviteur

(Signed) Duchesne de Bellecourt.

Legation & Consulate General . Yedo the 15th August 1861.
of France at Yedo (Japan.

Monsieur le Ministre.

I received the letter of this date, which You did me the honor to write to me, in reply to the one, I addressed to Your Excellency on the 4th instant.

I regret, Sir, that Your absence from Yedo did not allow us sooner to interchange opinions upon the twenty odd questions, which I had the honor to submit to You, as since then, circumstances arose, lessening in my opinion the occasion for an understanding between the diplomatic Agents accredited at Yedo, which a few days ago it appeared to me quite desirable to see established, upon the different points concerning our present relations with Japan.

As for my personal views upon those matters, I beg to refer to the letter of the 4th of August, which accompanied that confidential communication, henceforward without object.

Be pleased to accept Monsieur le Ministre the renewed assurance of the high consideration with which I have the honor to be.

Your Excellency's
most obedient humble servant.
(Signed) Duchesne de Bellecourt

To His Excellency
Townsend Harris
Minister of the United States in Japan

(a true translation)
A. L. C. Portman.

Enclosure No 3.
With despatch No 24.
dated August 20 1867

Copy & translation of letter
of French Chargé d'affaires
stating that an interchange
of opinions is deemed less
necessary. -

Re 18: Ass
No 35. Ent.

Legation of the United States in Japan
Yedo, September 7. 1861

Sir

I have the honor to transmit herewith No 1 Copy and translation of a letter from M. de Bellecourt the French Chargé d'affaires, informing me of his appointment as Minister Plenipotentiary of H.M. the Emperor of the French in Japan. 1

I also enclose No 2 Copy of my reply to the foregoing. 2

I have the honor to be Sir
Very respectfully
Your obedient Servant

Townsend Harris
Minister Resident

The Honorable
Wm H Seward
Secretary of State
Washington.

No 1 Legation in Japan.

Yedo. September 7. 1861
Townsend Harris
Minister Resident.

No. 35.

2. Enclosures.

Received.

The French Chargé d'Affaires
announcing his promotion
to Minister Plenipotentiary
in Japan. & Reply acknowledging
receipt of that Communication

Légation
et
Consulat Général
de France
à Yedo
Japon.

Yedo, le 24 Août 1861.

Monsieur le Ministre

J'ai l'honneur d'informer Votre Excellence que Sa Majesté l'Empereur des Français a daigné par un décret en date du 8 juin dernier, me conférer le titre de Son Ministre Plénipotentiaire auprès de S.M. le Taïcoun du Japon.

En portant cette mutation à Votre Connaissance Monsieur le Ministre, je saisis l'occasion de vous renouveler l'assurance de la haute considération avec laquelle j'ai l'honneur d'être

de Votre Excellence
très humble et très
obéissant Serviteur
(Signé) Duchesne de Bellecourt.

A Son Excellence
Monsieur Townsend Harris
Ministre des Etats Unis d'Amérique
au Japon
&c &c &c.

Legation & Consulate General
of France at Yedo, Japan.

Yedo, the 31 August 1864.

Sir,

I have the honor to inform Your Excellency that His Majesty the Emperor of the French; by a decree dated the 3d of June last, has been graciously pleased to confer upon me the title of His Minister Plenipotentiary at the Court of Hill the Tycoon of Japan.

While informing you of this change I avail myself of this opportunity Monsieur le Ministre to renew to you the assurance of the high consideration with which I have the honor to be

Your Excellency's
Most Obedient Humble Servant
(Signed) Duchesne de Bellecourt,

To His Excellency
Townsend Harris
Minister of the United States of America
&c &c &c in Japan

(A true translation)
A. L. C. Portman.

U.S. Legation in Japan

Enclosure No 1.
with dispatch No 25.
dated September 7. 1864

Copy and translation of
communication of French
Chargé d'affaires in relation
to his appointment as Minister
Plenipotentiary in Japan.

No. 87.

Legation of the United States in Japan
Yedo, September 4, 1864.

Sir,

I have the honor to acknowledge the receipt of Your letter dated the 31st Ultimo, in which You inform me that His the Emperor of the French by a decree dated the 8th of June last conferred on You the title of His Minister Plenipotentiary in Japan.

I embrace this opportunity to renew to Your Excellency the assurance of the high Consideration with which

I have the honor to be
Your Excellency's
Most Obedient
Humble Servant
(Signed) Townsend Harris.

Minister Resident of the United States
in Japan.

His Excellency
Duchesne de Bellecourt
Minister Plenipotentiary
of His the Emperor of the French
in Japan

&c &c &c.

Enclosure No 2
with despatch No 35.
dated September 7. 1867

Reply to letter of the French
Chargé announcing his
promotion as Minister
Plenipotentiary.

Rec 18. Dec

No. 36. Ent

Legation of the United States in Japan
Yedo. September 17. 1861.

Sir.

I have the honor to acknowledge the receipt of Your despatch dated May 16th, 1861. Number 15; transmitting — duplicate letters of Credit on the — bankers of the United States in London for the Salary of the Interpreter of this Legation

I have noted Your instructions as to the manner in which my drafts under this credit are to be worded, and shall carefully follow them.

I also received Copy of Your note addressed to the Prussian Minister Baron de Gerolt on the Subject of.

The Honorable
Wm H Seward
Secretary of State
Washington.

U.S. Legation in Japan.

the proposed postponement of the opening of this City to American Citizens; - and I await with much anxiety, your instructions in this behalf.

I have the honor to be, &c
Very respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Legation de Japan
Yedo September 17. 1861
Townsend Harris
Minister Resident

No. 36.
No Enclosures.

Received.

Acknowledging receipt
of despatch of the Department
No 15 dated May 16th. 1861.

Rec 18. Dec Mr Colchin.
No. 37. Ent

Legation of the United States in Japan
Yedo, October 1, 1861.

Sir,

I have the honor to transmit herewith No 1. my account for salary for the quarter ending on the 30th of September and to inform you that I have drawn on the Department in the prescribed form for Seven hundred ninety 33/100 Dollars, which draft is supported by the requisite vouchers. No 1.

I have the honor to be, Sir
Very Respectfully
Your most Obedient Servant

Townsend Harris
Minister Resident.

The Honorable
Wm H. Seward.
Secretary of State.
Washington.

October 1. 1861.
Townsend Harris
Minister Resident

No 37.
1 Enclosure.

Received.

Transmitting Quarterly
account for Salary.

No. 28. Cont. Rec. 18. Dec. Mr Martin

Legation of the United States in Japan
Yedo, October 1. 1861.

Sir

I have the honor to transmit herewith Numbered 1. my account for the Contingent Expenses of this Legation for the Quarter ending September 30 th, showing a balance in my hands of three hundred ninety eight 59/100 Dollars. No 1.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm H. Seward.
Secretary of State
Washington.

Yedo, October 1, 1861
Townsend Harris
Minister Resident

No. 38.
1 Enclosure.

Received.

Transmitting Quarterly
account of Contingent
Expenses.

No. 39. Ent. Re. 1. Feb.

Legation of the United States in Japan.
Yedo, October 7th 1864.

Sir.

I have the honor to transmit herewith No. 1. Copy and translation of a letter addressed to me by the Japanese Ministers for Foreign Affairs, stating, that a Russian Steamer had entered the harbour of the Island of Tsusima in March last, under pretence of requiring repairs; - and that the Commanding Officer had done many acts tending to show, that a permanent occupation of the Island is intended. No. 1.

The Island of Tsusima is situated in the narrowest part of the Straits of Corea, and is the key of the Japan Sea. It has an excellent harbour, and might be easily fortified, so as to become almost impregnable.

The Honorable
Wm H. Seward
Secretary of State
Washington.

For the last 18 months many Officials English and French, Civilians and Naval Men, have frequently declared, that a war with Japan was inevitable, and that it could only end in the partition of the Country.

It is said, that the Russian Commander justifies his action by referring to those declarations, adding, that he remains at Busima, solely for the purpose of preventing its falling into the power of the English or French.

Mr Goskevitch the Russian Consul General resides at Hakodadi, and in answer to the remonstrances of the Japanese Government declares, that the action of the Commander of the Steamer is unauthorised by his Government, and adds, that he has written to the Commander to leave the Island, but his directions have not as yet been complied with.

The Japanese Government have written letters to the Russian Minister for Foreign affairs in relation to the subject in question; — and if they fail in obtaining satisfaction, they will

probably avail themselves of the provision of the 2nd Article of the Treaty of Yedo, which engages the President of the United States to act as a friendly - Mediator in any matter of difference between them and any European Power.

I leave it to Your Superior wisdom to decide on the expediency of making any representations in this behalf to the Russian Government, without waiting to be Officially requested to do so.

This affair is much to be regretted, as it gives a new impulse to the party in opposition to the Treaties, by apparently making good their prophecies, that the opening of the Country to Foreigners, would certainly lead to its Conquest and Subversion.

I have the honor to be Sir,
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Delegation in Japan
Yedo, October 7, 1861
Townsend Harris
Minister Resident.

No 29.
1 Enclosure.

Received.

Relating to prolonged visit &c of a Russian war steamer at Tsusima Japan and its effect upon foreign Relations. -

Aan.
Zyne Excellentie
Townsend Harris
Gevolmagtigde en Minister
der Vereenigde Staten van
Amerika. enz. enz. enz.

Hiermede hebben wy aan Uwe
Excellentie het volgende mede te deelen:
Berigtende dat het een Russisch
Oorlogschip is, vertoeft er een Stoomschip
genaamd "Posachinica" onder het Commando
van dengene die Bivileff genaamd wordt,
Sedert onze 2e maand van het loopende
jaar in de West-haven van ons eiland
Chusima. - Terwyl hy in den beginne
voorstelde dat hy tot het reparceren van
de beschadiging van het Schip voor weinige
dagen aldaar Zou vertoeven hadden er
de Kapitein en Officieren van tyd tot tyd
aan, zigtbaar dy gebouw op, bebouwden
akker en bereidden weg op bergen; -
hetwelk Schynt dat dy van voornemen
Zyn om daar voortdurend verblyf te
houden. - Derhalve is het aan den
Kapitein voorgesteld dat hy Zoo Spoedig
de reparatie van het Schip eindigen Zal.

daar behoort te verlaten; onderscheidene
voorwendsels bezigende schynt hy evenwel
tot nu toe niet daar te verlaten. Terwyl
Zulke handelwyze in het algemeen behoort
geen plaats te hebben, dat hy, al is het
Oorlogschip, in eene andere haven dan de
opgegevene, onregtmatig vertoeft, aanlandt,
en buitendien gebouw oprigt, houdt hy
echter op eene dwingende wyze aldaar zyne
verblyf., zynde de reparatie van het Schip
louter schynbaar; om welke rede het zy,
is niet te begrypen. - Of schoon het onzeker
is of Zulks eenvoudig door de Schikking
van den Commodore of den Kapitein geschiede
en aan de Regering niet bekend zy, is
Zoodanige handelwyze niet te laten staan;
weshalve wy de voorgaande handelwyze -
stiptelyk geschreven en ter kennis van de
Russische Regering hebben gebragt. Tot
uwe kennis hebben wy Zulks voorte stellen.
Met eerbied en beleefdheid
Den 1sten dag der 9de maand van het 1ste
jaar van Bun - Kun.
(Was geteekend) Koedze Jamado no Kami
Ando Boesima no Kami.

To
His Excellency
Townsend Harris
Plenipotentiary & Minister
of the United States of
America &. &. &.

In regard to the Russian man-of-war, we have to state to Your Excellency, that she is the Steamer "Posachimoca" under the Command of Birileff, which remains in the Western harbour of our Island Tsusima since the 2nd Month of this Year (March 1861).

It was first represented, that this Ship needed repairs and would remain a few days for that purpose; the Commander and Officers however came ashore from time to time, erected a building, cultivated some ground and made a road over the mountains; from which it would appear, that they intend to reside there permanently. It has therefore been represented to the Commander, that he ought to leave, as soon as the repairs of his Ship are completed; but using various pretexts, he does not seem inclined to do so.

Such proceedings ought not to take place;

even

even a Man of-war should not stay in a non-opened port in an improper manner; — besides the landing and the construction of a building, he remains there somewhat by force; - the repairing of the Ship being a mere pretext; - and the reason why this is, cannot be comprehended.

Though it is uncertain whether this action of the Commander is by order of the Commodore or not; - and, whether the Government be ignorant of it: - we cannot let the matter rest; — for which reason we have written an accurate account of these proceedings, and brought it to the notice of the Russian Government; — which we have to state for your information with respect and Courtesy.

On the 1st day of the 9th month of the 1st year of Bunkiu. (October 4th, 1861).

(Signed) Kudse Yamato no Kami
Ando Tsusima no Kami.

(A true translation)
A. L. Portman.

Am. Legation Nagasaki

Enclosure No 1,
with despatch No 29.
dated October 7, 1864.

Copy translation of letter
from Jap: Min: for F.A.
relating to Russians
at Tsusima.

Rec'd Oct 12 Ex. Dept

New York October 11. 1861

Sir/

I have the honor to inform you of my arrival in this city, and to add, that I shall very shortly proceed to Washington for the purpose of delivering my letter of recredence from his Majesty the Tycoon of Japan

I have the honor to be
Sir
Your most obedient humble servant

Townsend Harris
late Ds Minister Resident in Japan

No. 40. Japan. "Re. 1. Feb.

Legation of the United States in Japan.
Jedo. October 14th, 1861.

Sir,

I have the honor to enclose herewith No. 1. Copy and translation of a letter from the Japanese Ministers for Foreign affairs, informing me of the detection and death of two more of the persons, who were engaged in the attack on the English Legation in this City on the night of July 5th; and further stating, that the most active measures are being pursued to secure the arrest of the remainder of the band, — five in number — who are still at large. No. 1.

I also enclose herewith No 2. translation of a declaration, which was signed by the whole of the desperadoes, before making No. 2.

The Honorable. Wm H Seward.
Secretary of State
Washington.

the attack.

I learn from report, that the Allied the British Ministers had at last come to the conclusion, that the Japanese Government had no part whatever in encouraging or inciting the attack in question; - and that he is now convinced, that they are acting in good faith, and are doing all in their power to ensure the Safety of the Foreign residents.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Yedo, October 14. 1861.
Townsend Harris
Minister Resident.

No. 40.
2. Enclosures.

Received. -

Traced two more of the
desperadoes who attacked
the British Legation in July

Aan Zyne Excellentie
Townsend Harris
Gevolmagtigde Minister der
Vereenigde Staten van Amerika
enz, enz, enz.

Hiermede hebben wy aan UE. het volgende mede te deelen.

Aangaande het nazoeken van de genen die in de 5de maand aan den aanslag op de Britsche Legatie het deel en de vlugt namen is de last op den Imre gegeven. - Daar er dus in "Ky. ôm. Sho Mura" (dorpsnaam) van het grondgebied van "Dizima", Mayky Sinpachiro en een ander Lieh bedektelyk bevonden, werden onmiddelyk de personen van Satting daarnaar toegezonden; dan begingen ly beide den Zelfmoord in een boerenhuis te voormelde dorp. Sinpachiro was onmiddelyk dood, en een ander, hoezeer Zwaar gewond nog in leven; Zoo werd hem de geneeskundige hulp gegeven, en werd hy in Kerker genomen. - Den 27sten dag der afgeloopene maand was hy dan dood; en de vlugt der overigen is nog onbekend, dus is

de

de last voor het nazoeken Steenselyk gegeven
waarvan de Overheid van Driekuw" een
verslag heeft gedaan. - Wanneer en dezelve
Sal zyn die hierna gevat wordt, Sal
Zulks weder bekend gemaakt worden;
Ondertusschen word het voorgaande tot
Uwe kennis in eens voorgesteld
met eerbied en beleefdheid
Den 4den dag der 9e maand van het
1de jaar van Runnekyw.
(H. Getekend) Koedze Samatonokami
Ando Boesima no Kami

To His Excellency
Townsend Harris
Minister Plenipotentiary
of the United States of America
&c. &c. &c.

We have to state to Yr. that a standing order had been issued to prosecute those, who took part in the attack on the British Legation in the 5th month, and had effected their escape. - Accordingly, when it became known, that Mayte Sinpatchiro and another one had concealed themselves at Hikongo mura (name of the village) in the principality of Dzioshii, the proper persons to effect their arrest were at once despatched to that village, where it was found, that both had committed suicide at a farmhouse. - Sinpatchiro died immediately and the other, though seriously wounded, was still living. - He was therefore transferred to the prison and surgical aid given to him. On the 27th day of last month he also died. - To what place the others have taken themselves is not yet known, but the order for a rigid enquiry has been given. - the

US Legation in Japan.

Enclosure No 1.
with despatch No 40.
dated. October 14. 1861.

Copy & translation of letter of Jap: Min[ister] for F.A. in relation to two of the desperadoes who attacked the British Legation

who attacked the British Legation

Translation

of an Agreement between fourteen persons, having for its object the expulsion of foreigners from Japan, in connection with the attack on the British Legation on the night of the 5th July 1861. — with Remarks.

I the Undersigned of humble station, but animated with a grand design, in honor of the Sovereign to get rid of the foreigner; the barbarian, whose presence in the sacred Empire is intolerable — do hereby solemnly engage myself to that effect.

As it cannot be expected from a single person of the humbler class, that he will succeed in vindicating the Power of the Empire, - I intend in all sincerity to raise a limited armed force — and thereby confer thousand benefits upon the Empire to the best of my ability.

Should this lead to the expulsion of the barbarian, without disturbing the Emperor's faithful, - it would indeed redound to the greatest honor of me, a person of the humblest class. — Wherefore

I —

I have determined to act. regardless of all consequences to myself.

The 5th month of the 1st Year of Bunkiu

(Signed) 1. Ariga Hanya
2. Okami Tamedzoo
3. Mayke Sinpatsiro.
4. Mori Handzoo.
5. Sataki Etchabaro.
6. Kimura Kwanoske.
7. Sikawa Kinsiro

8. Yadziawa Kenoske
9. Watanabe Kudzu
10. Trucawa Simenoske
11. Yamaluke Sinoske
12 Nacamura Teiske
13. Coboi Toratitchi
14. Kuroosawa Goro.

(A true translation)
A. L. C. Portman.

Remarks

Killed in the repulse by the Japanese Guard.

6. Kimura Kosanoske.

10. Fucawa Simenoske

13. Cobori Forakitchi.

Arrested on the spot by the same.

5. Sakaki Etchabors.

Arrested at Sinagawa after failing to Commit Suicide

7. Isikawa Kinsiro.

Found to have committed Suicide at Sinagawa

11. Yamasake Sonoske

12 Nacamura Seiske.

Committed Suicide at Hiongh mura.

3. Mayke Sinpachiro / & another one.

According to which five of the fourteen desperadoes are still at large.

Enclosure. No 2.
with despatch No 40.
dated October 14, 1861.

Translation of agreement
between 14 persons having for
object the expulsion of foreigners
from Japan. in connection with
attack on British Legation
with Remarks.

No. 41. Ent.

Re. 1. Feb. Mr Walker

Legation of the United States in Japan.
Yedo. October 16th. 1861.

Sir,

I have the honor to inform You, that I have received a case from the Department, containing the books and other articles for the use of this Legation, which I desired to be sent in my despatch No 30, Dated August 6th. 1860.

I have the honor to be
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm. H. Seward.
Secretary of State
Washington.

Yedo. October 16th 1861

Townsend Harris
Minister Resident

No. 44.

No Enclosures.

Received.

Acknowledge. receipt of
a case containing stationery
for the use of this Legation.

Private

Albany Oct 17. 1861

My Dear Governor

I am truly grateful to you for your kind offer to accompany through the West. Though the position is attended by many disadvantages it is so highly honorable and important and offers otherwise such inducements as to overcome a shy natural reluctance, particularly at this momentous time, to go to so distant a field.

My chief gratification is derived from your [redacted] connection with the offer, my young friend for whom I have been the means of procuring a position of a salary and I have become a part of my being.

Very Truly Yr Obt Servt Friend

Robt. H. Berdan

Gov. Curtin Oct 18th 1861

Albany Oct. 15. 1861

Hon William H. Seward
Secretary of State

Sir.

I have the
honor to announce to you my acceptance
of the mission to Japan

I am profoundly grateful
to His Excellency the President of the United
States and to yourself for this proof of
confidence which I trust I shall justify
by my private and official conduct

I am Very Truly & Respy
Yr. ob. St.

Townsend Harris

No. 42 Ent.

Ans. 1. Feb. Mr Olcott

Legation of the United States in Japan.
Yedo. October 18th. 1861.

Sir,

With my despatch No 12. dated March 7. 1861. I had the honor to transmit my account for Salary as Consul General at Simoda, while receiving instructions and making my transit to my post.

In liquidation of this account I have this day drawn on You in the prescribed manner for $ 7298 62/100, which draft is supported by the required voucher.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
late Consul General at Simoda.

The Honorable Wm H Seward
Secretary of State
Washington.

Yedo, October 18th, 1861.

Townsend Harris
Minister Resident.

No. 42.

1. Enclosure.

Received.

Relating to salary.
as Consul General.

No. 43 Extract Re- 1. Feb.

Legation of the United States in Japan.
Yedo, October 22d, 1861.

Sir,

In my despatch of the 7th instant No. 39. I had the honor to inform You of certain proceedings of the Russians in the Island of Tsusima, which bore the appearance of an intention on their part to take permanent possession of that Island.

I had an interview with the Ministers of Foreign Affairs yesterday, when they informed me, that the Russians departed from Tsusima last month, but did not take down the buildings, which they had previously erected. - The Ministers added, that they had written to the Russian Consul General, insisting on the prompt demolition of the buildings

The Honorable Wm H Seward
Secretary of State
Washington. in

in question.

That the Government does not at once remove them, is to my mind an evidence, of their anxious wish to avoid any possible chance of a collision with a foreign power.

I have the honor to be, Sir,
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Yedo, October 22. 1861

Townsend Harris

Minister Resident

No 43.

No Enclosures.

Received.

The Russians left
the Island of Tsusima.

No. 44 Dupl. Re: 16 Ter

Legation of the United States in Japan
Yedo, October 28th 1861.

Sir,

I have this day granted a passport to Mr Eben May Dorr Consul of the United States at Kanagawa, and I transmit herewith No 1. Certified Copy of the document, on which the passport was issued

I have the honor to be
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident

The Honorable
Wm H Seward
Secretary of State.
Washington.

Yedo, October 28. 1861

Townsend Harris

Minister Resident

No. 44

1 Enclosure.

Received.

Passport given to Mr.
Eldon U.S. Consul
Kanagawa

Kanagawa, October 26, 1861

Sir,

I have to request You to give me the usual passport issued to American Citizens. I was born at Boston, Massachusetts and am the American Consul for the Port and District of Kanagawa in Japan and this being all the evidence I have to give of my Nationality, I presume You will find it to be Sufficient.

I am Sir
Very Respectfully
Your Obedient Servant
(Signed) E. M. Dorr.

Townsend Harris Esquire
Minister Resident
Yedo, Japan

I Certify the above to be a true Copy of the letter on file at this Legation.

Townsend Harris
Minister Resident.

Yedo October 28. 1864.

Enclosure No 1
with Despatch No. 44
Yedo. October 28, 1864.

Copy of application for
passport.

No. 45. Rec'd 16. Feb. Mr Clarke

Legation of the United States in Japan.
Jedo, November 7th, 1861.

Sir,

I have the honor to enclose herewith No 1, account and Vouchers for Sundry expenses, attending my intercourse with this Government, and amounting to $ 189.79. No 1

With my despatch No 26, dated September 1860, I forwarded a similar account for expenditures, up to that date amounting to $218,67; a copy of that despatch No 2, is herewith enclosed, and I respectfully request your perusal of the Same. No 2

Not having received any instructions from the Department

The Honorable Wm H Seward.
Secretary of State
Washington.

in reference to this head of expenditure, and as I hope to be shortly relieved of my charge of this Legation, I intend to draw on You for the amount of the two accounts above referred to, as soon as I can negotiate a draft on the Department.

I have the honor to be
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Jedo. November 7. 1861
Townsend Harris
Minister Resident.

No. 45.
2 Enclosures.

Received.

Relating to expenses
attending Diplomatic
Intercourse in Japan.

Rec 16. 1861. Mr Christmas

No 46 Cont.

Legation of the United States in Japan
Jedo. November 15, 1861.

Sir,

I have the honor to acknowledge the receipt of Your despatch No 16 dated July 2nd. transmitting the Commission of Mr. A. L. C. Portman as Interpreter to this Legation.

I enclose herewith No 1. and Copy of a letter from Mr Portman, acknowledging the receipt of his Commission.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident

The Honorable Wm H Seward
Secretary of State
Washington.

Yedo, November 15, 1861
Townsend Harris
Minister Resident

No. 46.

1 Enclosure

Received.

Acknowledging receipt
of the Commission of
A. L. C. Portman as
Interpreter.

Legation of the United States in Japan.
Yedo November 15, 1861.

Sir,

I have the honor to acknowledge the receipt of Your letter of to day, enclosing my Commision as Interpreter to this Legation

I have the honor to be Sir
Very respectfully
Your most Obedient Servant
(Signed) H. C. Portman.

Townsend Harris Esquire
Minister Resident of the United States
in Japan.
Yedo.

US Legation in Japan

Enclosure. No 1.
with Despatch No 46
dated November 15. 1861

Copy of letter of H.L.C.
Portman, acknowledging
receipt of his Commission
as Interpreter to the

No 47.
Dec 16. Rec. Mr Webster
Extract

Legation of the United States in Japan
Yedo. November 16th, 1861.

Sir,

In my despatch No 30, dated June 29th, 1859, I had the honor to inform the Department, that I had appointed Mr. E. May Dove, a Native of Massachusetts and a Citizen of California, Consul for the Port of Kanagawa and its dependencies.

I am verbally informed, that in 1860 Mr. Appleton, then Assistant Secretary of State, wrote to Mr. Dove to the effect, that the President had been pleased to approve

The Honorable Wm. H. Seward
Secretary of State
Washington.

of his appointment, but no Commission for Mr Dove was then or has been subsequently sent. I respectfully request your attention to this subject.

I avail myself of this opportunity to state, that Mr Dove has discharged the duties of the Consulate, since July 1859 to my entire Satisfaction; and that I have received much valuable assistance from him in the various important measures, which were required to give effect to the Treaty of Yedo.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Yedo, November 16, 1861.

Townsend Harris.

Minister Resident.

No. 47.

Received.

Relating to Mr E. May

Dowe, U.S. Consul Kanagawa

No: 48. Legt.

Legation of the United States in Japan
Jedo. November 18th 1861.

Sir,

I have the honor to transmit herewith duplicate of my despatch No: 42, dated October 18th. with verified copies of its enclosures.

I have the honor to be Sir,
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm. H. Seward
Secretary of State
Washington.

Jedo Nov. 18. 1861.

Yedo, November 18. 1861

Townsend Harris
Minister Resident.

No 48.

1. Enclosure.

Received. -

Transmitting duplicate of
despatch No 42 with certified
Copies of its enclosures.

Recd 22nd Mar.

No. 49. Sent

Legation of the United States in Japan
Yedo. November 23, 1861.

Sir.

I have the honor to acknowledge the receipt of Your despatches No's 178 18, dated respectively July 23d. and August 1st.

You inform me, that a letter from His Majesty the Tycoon to the President of the United States, and a letter from the Japanese Ministers for Foreign Affairs to You, together with my despatch of May 8th (No. 20) had been received; all of which papers related to a proposition of the Japanese Government, that the opening of the Cities of Yedo and Osacca, and the harbours of Hiogo and Hee-e-gata, as stipulated in the Treaty, should be

The Honorable
Wm H Seward.
Secretary of State
Washington.

postponed; - You add, that my counsel in relation to this matter was different from the course contemplated by the President, which was, that no postponement of the opening of the city of Yedo should be conceded; - and, that a joint naval demonstration should be made in the Japanese Waters by all the Treaty - powers, for the purpose of obtaining from the Japanese Government — Satisfaction for the murder of Mr Heusken, Interpreter of this Legation and full Security for the safety of the foreign residents in this Country, but in - consequence of the confidence the President placed in my judgment, he waived his own opinion, and has given me discretionary power to act in Concert with the Ministers of the other Powers interested in such manner, as shall be most advisable for the welfare of both Countries.

I am very sensible of the great importance of the trust thus confided to me, and I hope, that the result will

show, that the confidence of the Resident was not misplaced.

In Your despatch of August 1st (P. 18) You inform me, that You urgently insist, that except in the extremest necessity, I shall not consent to any postponement of any covenant in the existing Treaty, without first receiving Satisfaction of some marked kind for the great crime of the assassination of Mr Heuston, while in the diplomatic service of the United States.

—. You leave me to determine on the form and mode of that Satisfaction, adding, that it would be best to secure, if posible, the punishment of the assassins; but as circumstances unknown to You must enter into the question, and may modify my action, but You deem the principle too important to be abandoned.

After reflection it appears to me, that the Satisfaction required might be given in either of the three following forms, viz:

1st. By the arrest and punishment of the assassins.

2ⁿᵈ By a Salute to our Flag.
3ᵈ By a money payment
as an indemnity.

To enable You to form an opinion, as to the will or ability of this Government to Comply with the first of those propositions, I will briefly recapitulate, what has already been done in that direction.

The night on which M. Houston was murdered was rainy and dark, and in the unlighted Streets his assassins had no difficulty in making their escape, without leaving the least trace or clue behind them. — The Police were immediately on the alert, and Orders were Sent in all directions to employ a large extra force to Seek for the Criminals; — and the Ministers for Foreign Affairs themselves took part in issuing Stringent orders, that no effort Should be wanting for the arrest of the murderers. — These efforts to arrest the malefactors were, and are Still continued; — many

persons have been arrested, and although some of them have been put to death, it was for other crimes. — The Japanese have zealously — investigated every rumor (and there were many) having any reference to Mr Heusken's death; — that their efforts thus far have been fruitless, I consider as being rather their misfortune than their fault. — The Officers, who attended Mr Heusken, and the guard, who were on duty near the place of his murder, have all been punished for neglect of duty, by dismissal from the Imperial Service, and declared incapable of ever again serving his Majesty. — To a Japanese official such a punishment is next to a death penalty; for it deprives him of all means of support, except beggary, as he would prefer Suicide to what he would consider as the degradation of labour.

The funeral of Mr Heusken was attended by the three chief

personages of the Embassy to the United States, and this mark of sympathy and respect was cheerfully paid, although it was contrary to Japanese Custom for non-relatives to attend a funeral, as all the persons so attending are rendered unclean, and must isolate themselves for a certain period of time. — I have heretofore informed You of the great imprudence of Mr Heusken in being out at night, after repeated warnings from the Japanese, that he ran a risk of being murdered by exposing himself in the way he did. — I firmly believe, that his death was chiefly owing to his disregard of the warnings of the Japanese, and I equally believe, that had he followed my example, he would have been a living man at this day.

For the reasons thus briefly set forth, I feel constrained to acquit the Japanese Government of any complicity in the death of Mr.

Henriken, or of even desiring it; and I am equally convinced, that they have loyally and zealously endeavored to arrest and punish his assassins.

A Salute to our flag would be given under the following circumstances: — The five forts of Yedo are built on flats over a mile from the city front, and between three and four miles from the anchorage for large vessels. — At present, we have no man of war here to receive a Salute to our flag, nor are there any foreign men of war to witness it. — The Japanese are almost daily practising firing from their forts, and for this reason a Salute would excite no attention among the masses of the people, and would probably be unknown beyond the persons actually engaged in ordering and firing the Salute. — The value of this mark of respect would therefore be greatly diminished by the very unfavorable circumstances, under which it would be given.

A money indemnity would be attended by a twofold difficulty; — on the one hand by receiving a sum of money as a ~~satisfaction~~ for the death of Mr Heusken, it would almost look like selling his blood; while on the other hand it might assume the appearance of a "condition precedent" to consenting to postpone our Treaty Stipulations, and thus be stamped as a transaction.

I am to have an interview with the Ministers for Foreign affairs on the 26th instant, and in the interim I shall endeavour to find some Solution for the difficulties, which occur to me in connection with this business.

I have not the least doubt, that the Ministers will readily agree to any demand I may make, provided it be in their power to comply with it.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Jedo, November 23 1861
Townsend Harris
Minister Resident

No. 49.
No Enclosures

Received.

Acknowledging receipt
of Nos. 17. & 18.- Relating
to Satisfaction for the murder
of Mr Heusken, in connection
with Concessions to the Japanese
Government

Recd 22nd Nov.

11:50 Ent.

Legation of the United States in Japan
Yedo, November 27, 1861.

Sir,

I have the honor to inform You, that agreeably to a previous appointment, I yesterday had an interview with Kudse Jamato no kami and Ando Tsusima no kami, Ministers for Foreign Affairs, who were assisted by some members of the second Council of State.

After an interchange of the usual compliments, I informed the Ministers, that the President had been pleased to give me discretionary powers, in regard to the question of postponing the opening of the Cities of Yedo and Osacca, and the harbours of Hiogo and See-e-gata; but that I had

The Honorable
Wm H Seward
Secretary of State
Washington.

been

Yedo, November 27 1861

been expressly instructed by You to demand full Satisfaction for the murder of Mr Heusken, the Interpreter of this Legation, before I entered in the consideration of their requests.

Ando Bungo no kami answered, that they were willing to give me any Satisfaction, that might be in their power, and asked me what I required.

I replied, that the arrest and punishment of the murderers of Mr Heusken was all that I desired.

The Minister then said, that those Criminals should be arrested and punished, but, whether that could be done in a month or a year was more than he could foresee; — he then recapitulated, what had been done by the Government to secure the arrest of the assassins; — and his statement corresponded with the detail I had the honor to give You on this head in my despatch of the 23d instant (No. 49); he continued by quoting the case of the Regent, and stating their inability to

arrest.

arrest his murderers. as a proof, that their present failure was not an exceptional case. — The Minister reiterated his apurance, that no effort on his part should be wanting to bring these men to punishment, and concluded by saying, that if this apurance was not satisfactory, that he wished I would tell him, what I further required of them.

I replied, that Mr Heusken was the only child of his widowed mother, who, by his death, had been deprived of her sole means of support; — I would therefore propose, that they should pay her a sum sufficient for her support, either in annual payments, or in a sum sufficient to purchase a life annuity, equal in amount to the income, she received from her late son. — I stated very emphatically, that they must not consider this as a proposition from me to sell the blood of Mr Heusken, or that the payment of any sum of money could atone

for

for his murder

After a few explanations had been asked and given, the Ministers promptly agreed to pay me the sum of $ 10.000 for the benefit of Mrs Heusken.

They then stated, that they did not consider, that the payment of this sum in any way released them from their obligation to bring to punishment the murderers of Mr Heusken.

It was after much reflection, that I concluded to adopt the above mode of settling this question; and I trust, that my action in this matter will meet with Your approbation, and receive the approval of the President.

I have delivered Your letter to the Ministers for Foreign Affairs, and requested them to appoint a day, when I can have an audience of His Majesty the Tycoon, for the purpose of delivering the President's letter.

I have the honor to be, Sir,
Very Respectfully,
Your Obedient Servant.
Townsend Harris
Minister Resident

Yedo. November 27. 1861.

Townsend Harris

Minister Resident.

No. 60.

No Enclosures.

Received.

$10000 to be paid by the Japanese Government for the benefit of the widowed mother of Mr Heusken. - search for his murderers to be continued.

No. 57. Ent.

Rec'd 22nd May, '62 Walsh

Legation of the United States in Japan
Yedo. November 30th 1861.

Sir,

I have the honor to transmit herewith No1. copy of a letter from Mr. J. J. Walsh. US Consul at Nagasaki having reference to charges in his accounts for translating documents, received from the Japanese Authorities at that place. No1.

While the translations are not numerous enough to require the Constant Services of an Interpreter, I think it impossible to conduct the busines of the Consulate properly without some aid of the kind.

I would respectfully suggest that the Nagasaki Consul be authorized

The Honorable
Wm H. Seward
Secretary of State
Washington.

Rec'd Nov. 27. 1861.

to charge one dollar per folio of one hundred words for all necessary translations. — I think that the annual charge at that rate would not exceed $ 150.-

At present, the authorities at Hakodadi are enabled to give English versions of all their communications, and this Legation has hitherto aided the Kanagawa Consul with his translations.

After 1865 the Japanese will furnish English translations with all their documents.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Jedo. November 30th 1861

Townsend Harris

Minister Resident.

No: 51.

1 Enclosure.

Received.

Relating to
Charges for translating
official documents at
the Consulate, Nagasaki
Japan.

(Copy.)
No: 8.

Consulate US of America
Nagasaki. November 7th 1861.

Sir

In auditing my accounts at the State Department, the items "paid for translating official documents" were all rejected; notwithstanding my explanation, that I am obliged, in accordance with the Treaty, to receive all communications from the authorities in the Dutch language.

I am aware, that no items are allowed excepting those authorized by the book of "Consular Instructions." - Yet, the rejected items are clearly authorized by the President's ratification of the Treaty. - unless the Government appoint persons as Consuls, who are acquainted with the language of the

Townsend Harris Esquire
American Minister Resident
Jedo.

Feb. 1862 November 30 1861

text of the Treaty.

I have to request Your assistance in having these claims allowed, and in urging upon the Department the necessity of appointing an Interpreter to this Consulate, or of allowing all claims (with proper vouchers) for translating.

I am
Sir
Your Obedient Servant
(Signed) Jno. J. Walsh
U.S. Consul.

Enclosure No 1.
with despatch No 51
dated November 30. 1861.

Copy of letter from U.S.
Consul Nagasaki relating
to charges for translating
official documents.

No. 52. Ext. Rec'd 22nd Mar.

Legations of the United States in Japan
Yedo. December 2d, 1861.

Sir.

I have the honor to transmit herewith copies of a correspondence had with my Colleagues on the subject of the postponement of the date fixed for the opening of the City of Yedo.

The French and English Ministers are both awaiting new instructions, which are daily expected to arrive

Mr de Wit the Netherlands Consul General is now at Nagasaki, but I shall no doubt hear from him in the course of the next.

The Honorable
Wm H Seward
Secretary of State
Washington.

15.

15 days. - - - The enclosures above referred to consist of.

No. 1. Mr Harris to Mr deWit Netherland Consul General

No. 2. Mr Harris to Mr Alcock British Minister

No. 3. Mr Harris to Mr de Bellecourt French Minister.

No. 4. Mr Alcock to Mr Harris

No. 5 Mr de Bellecourt to Mr Harris

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

December 2. 1861
Townsend Harris
Minister Resident.

No: 52.
5. Enclosures.

Received.-

Correspondence with the English, French, & Dutch Representatives in relation to the asked for postponement of opening of cities & Harbors in Japan-

No. 110.

Legation of the United States in Japan
Yedo. November 27. 1861

Sir.

I have the honor to inform Your Excellency that my Government has been pleased to give me full powers to act according to my own discretion in the matter of — postponing the opening of the Cities of Yedo and Osacca and the Harbours of Hiogo and Nee-e-gata.

I have already expressed to You verbally my opinion, that it was not desirable to open the City of Yedo at the time fixed by Treaty for the purposes of trade. — On reviewing that opinion I do not find any cause to alter the view heretofore taken of this subject; - but on the contrary I see additional reasons for thinking, that the present opening of this

His Excellency J. K. de Wit
Netherlands Consul General,
in Japan.
Nagasaki

Alexander 2. 1861

City would be attended by complications, that would seriously embarass the — Diplomatic Agents resident here. — and possibly might compromise our friendly relations with this Country. — The case of Yedo is pressing and requires immediate action. — and I much regret that You are not here to give Your valuable counsel in this emergency.

I pray You to inform me of Your views, — not only in respect to the city of Yedo, but also in reference to Osacca, Hiogo and See-e gata.

The Japanese Government have promised to pay me the sum of ten thousand dollars for the benefit of the widowed mother of Mr. Heusken, late Interpreter to this Legation, who was murdered in this City on the 15th of last January. — As soon as this money has been received by me. I shall cause it to be remitted to Amsterdam for Mrs Heusken.

I avail myself of this occasion to express to You this sincere

esteem and regard with which
I have the honor to be
Your Excellency's
Most Obedient
Humble Servant.
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 1
with despatch No 52
dated December 2. 1861

Mr. Harris to Mr Delfft
Netherlands Consul General

No. 116.

Legation of the United States in Japan
Yedo, November 27. 1866.

Sir.

I have the honor to inform You, that my Government has been pleased to authorise me to exercise my own discretion in reference to the request of the Japanese Government that the period fixed by Treaty Stipulations for the opening of the Cities of Yedo and Osacca and the harbours of Hiogo and Seé-e-gata might be postponed until the 1st of January 1867.

During the Summer of 1866 I had the honor to confer with You in reference to the opening of the City of Yedo — and I believe there was an entire accordance of opinion between us, that it was expedient that the

Rutherford Alcock Esquire CB
H.B.M. Envoy Extraordinary &
Minister Plenipotentiary
in Japan.
Yokohama.

opening of this City should be postponed.

— Since that time the subject has frequently been anxiously considered by me, and after carefully reviewing the opinions I have hitherto formed on this subject, I am unable to discover any cause to change them, - but on the contrary I have found additional reasons for thinking that the present opening of this City would be attended by complications that would seriously embarrass the Diplomatic Agents resident here - and possibly might compromise our friendly relations with this Country, while only a trifling benefit would arise from the City being opened even under the most favorable circumstances.

The time fixed by Treaty for the opening of Yedo is so near at hand, that some immediate action is required; — and if Your opinions on this subject remain unchanged, I would respectfully propose that You, the French Minister (to whom I have addressed a counterpart of this Note) and myself should at

one —

once issue Notifications to our respective citizens and subjects that this City will not be opened on the 1st day of January next. - After this, the question, as to how long the City shall remain unopened, may be leisurely considered.

In reference to Osacca, Hiogo and Yee-e gata I will give You my views at large, whenever You inform me, that You are prepared to consider the subject - and in the meantime, I do not conceal from You, that I am inclined to view the Japanese proposition favorably.

I have the honor to be
Sir,
Your Most Obedient
Humble Servant.
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 2
with despatch No 52
dated December 2 1861

Mr Harris to Mr Alcock
British Minister.

No. 117.

Legation of the United States in Japan
Yedo. November 27. 1861.

Sir,

I have the honor to inform Your Excellency, that my Government has been pleased to authorise me to exercise my own discretion in reference to the requests of the Japanese Government that the period fixed by Treaty — Stipulations for the opening of the cities of Yedo and Osaeca and the harbours of Hiogo and See-e-gata might be postponed until the 1st of January 1867.

During the Summer of 1860, I had the honor to confer with Your Excellency in reference to the opening of the City of Yedo — and I believe there was an entire accordance of opinion between us, that it was expedient

to

His Excellency.
Duchesne de Bellecourt
H. I. M. Minister Plenipotentiary
in Japan.
Yokohama.

that the opening of this City should be postponed.- Since that time this subject has frequently been anxiously considered by me;- and after carefully reviewing the opinions I have hitherto formed on this Subject, I am unable to discover any cause to change them; but on the contrary I have found additional reasons for thinking, that the present opening of this City would be attended by Complications, that - would seriously embarrass the Diplomatic Agents here - and possibly might - Compromise our friendly relations with this Country, while only a trifling - benefit would arise from the City being opened, even under the most favorable circumstances..

The time fixed by Treaty for the opening of Yedo is so near at hand, that some immediate action is required; and if your opinions on this Subject remain unchanged, I would respectfully propose, that Your Excellency, the - British Minister, (to whom I have addressed

a Counterpart of this Note) and myself should at once issue notifications to our respective citizens and subjects, that this City will not be opened on the 1st day of January next. After this, the question, as to how long the City shall remain unopened, may be leisurely considered.

In reference to Osacca, Hiogo and See-e gata I will give Your Excellency my views at large, whenever You inform me, that You are prepared to consider the subject; — and in the meantime I do not conceal from You, that I am inclined to view the Japanese proposition favorably.

I avail myself of this occasion to renew the assurance of the distinguished consideration with which

I have the honor to be
Your Excellency's
Most Obedient
Humble Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 3.
with despatch No 82
dated December 2, 1861.

Mr. Harris to Mr
de Billecourt, French
Minister.

No. 90.

Yokohama. November 30, 1866.

Sir.

I have the honor to acknowledge the receipt of your letter of the 27th Inst; acquainting me that your Government had authorized You to exercise Your own discretion, in reference to the — request of the Japanese Government, that the period fixed by Treaty — stipulations for the opening of the Cities of Yedo and Osaca and the harbours of Hiogo and See-e-gata — might be postponed until the 1st of January 1867.

I cannot enter fully into the subject, which is one of grave interest and importance, until I have had further communications with the French Minister, and also with the

Townsend Harris Esquire
Minister Resident of the United States.

Ministers of Foreign Affairs at Yedo.

But as there is a whole month intervening before the date fixed by Treaty for the opening of Yedo, - little inconvenience, I Conceive, is likely to result from any delay within that limit; and I will lose no time in forwarding you a Statement of my views, - and the course I may be prepared to follow, as soon as I am in a position to write definitely on the questions at issue.

I have the honor to be
Sir
Your most Obedient
Humble Servant
(Signed) Rutherford Alcock
H.B.M. Envoy Extraordinary
Minister Plenipotentiary
&c. &c. &c
Japan.

Enclosure No 4.
with despatch No 52
dated December 2. 1865

Mr. Alcock. British
Minister to Mr Harris.

Légation & Consulat Général
de France
à Yeddo. (Japon).

Yeddo le 30 Novembre 1861.

Monsieur le Ministre

J'ai reçu la lettre que Votre Excellence m'a fait l'honneur de m'écrire à la date du 27 de ce mois, relativement aux instructions du Gouvernement des Etats-Unis au sujet du délai demandé par le Gouvernement Japonais à l'ouverture des ports et villes mentionnés dans les traités de 1858.

J'espère recevoir dans le courant du mois qui nous sépare encore du moment fixé pour l'ouverture de la ville de Yédo les directions du Gouvernement Impérial sur cette importante matière et je me ferai un véritable plaisir, Monsieur, si ces directions ne me parvenaient pas d'ici à quelques jours de donner

A Son Excellence.
Monsieur Townsend Harris
Ministre des Etats-Unis
& & & au Japon.

Communication du plan, auquel je m'arrêterai tant à Votre Excellence, qu'à M. le Ministre d'Angleterre, avec qui je me propose d'en conférer ces jours-ci.

Je ne saurais trop vous remercier, Monsieur, d'avoir bien voulu m'instruire et des instructions que vous avez reçues, et de vos appréciations personnelles, et je serai toute heureuse, dès que je serai en mesure de le faire utilement, de m'entendre aussi avec vous, Monsieur, sur les moyens de rendre profitable à tous les intérêts, l'action commune de la diplomatie dans les circonstances actuelles.

Veuillez agréer, Monsieur le Ministre, l'assurance de la considération distinguée avec laquelle j'ai l'honneur d'être

de Votre Excellence

très humble et très

obéissante Servitrice

(Signed) Duchesne de Bellecourt.

Legations & Consulate General
of France at Jedo (Japan).

Jedo November 30, 1861.

Sir

I had the honor of receiving Your Excellency's letter of the 27th instant, relating to the instructions of the Government of the United States in regard to the postponement, requested by the Japanese Government, of the opening of the ports and cities mentioned in the treaties of 1858.

In the course of this month, which intervenes before the time fixed for the opening of the city of Jedo, I hope to receive the directions of the Imperial Government on this important subject; and I shall be truly pleased, Sir, should these directions not reach me within a few days, to communicate

To His Excellency
Townsend Harris
Minister of the United States
&c. &c. &c.
in Japan.

the plan, which I shall have adopted, to Your Excellency, as well as to the Ministers of England, with whom I intend to confer on the subject at an early day.

I thank You sincerely, Sir, for informing me of the instructions, which You received, and of Your personal views; and it will give me much pleasure, as soon as I shall be able to do so to some purpose, to also come to an understanding with You, Sir, upon the means of benefiting all interests by the joint action of the Diplomatic Agents in the present circumstances.

Be pleased to accept, Sir, the assurance of the distinguished consideration with which

I have the honor to be
Your Excellency's
Most Obedient
Humble Servant
(Signed) Duchesne de Bellecourt.

A true translation
A. L. C. Portman

Enclosure No 5.
with despatch No 52
dated December 2, 1861

Mr. de Bellecourt French
Minister to Mr Harris
Copy and translation.

No. 53. Ent. Re. 22nd Mar:.

Legation of the United States in Japan.
Yedo, December 7. 1861.

Sir.

I have the honor to inform you, that yesterday I had an audience of His Majesty the Tycoon, for the purpose of delivering a letter from the President of the United States.

On this occasion, I addressed His Majesty as follows:

Sire!

"In presenting a letter"
"from the President of the United States,"
"I am directed to renew to Your"
"Majesty the assurance of the cordial"
"friendship of the President, and of"
"His sincere wishes for the health and"

The Honorable.
Wm H. Seward
Secretary of State
Washington.

Happiness

" happiness of Your Majesty, and for "
" the prosperity of Your Empire."

I am also instructed to Maintain
" and Strengthen the good understanding "
" now happily existing between the "
" United States and Japan; and I "
" assure Your Majesty, that no efforts "
" of mine shall be wanting to secure "
" this desirable result."-

To which His Majesty replied, as follows:

" The receipt of the letter "
" and Statement is Satisfactory; "
" the friendly relations between the "
" two Countries shall be encreased "
" more and more; - Your long "
" residence here must be wearisome "
" to You."-

The ceremonies, that attended my audience were of the most honorable kind, and every observance was to my entire Satisfaction.

I have the honor to be, Sir,
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Townsend Harris
Minister Resident.

No. 53.
No Enclosures.

Received.

Delivery of President's
reply to Tycoon's letter
at audience of 6th Dec.
1861. -

No. 54. Ent. Rec 12. Mar. - Mr Chiles

Legation of the United States in Japan
Yedo, December 13th 1861.

Sir,

I have the honor to transmit herewith No. 1. my account for - expenses attending diplomatic intercourse in Japan; - and to advise You that I have drawn on the Department in the prescribed form for Six hundred and Sixty four 64/100 dollars; - which draft is Supported by the required vouchers. No 1

The present draft covers all the expenditure under this Head Since June 1858, a period of more than three and one half years; - and shows, that a rigid economy has been exercised by me in this matter.

I also enclose No. 2. Copy. No. 2.

The Honorable.
Wm H Seward.
Secretary of State
Washington.

of my despatch to
No. 36., dated Sep
reference to this ac
respectfully request
the same.

I ha
Se
Jo
T
Min

l to the Department
September 21. 1860 in
account; and I
quent Journal of

I have the honor to be Sir
Very Respectfully
Your Obedient Servant

Townsend Harris.
Minister Resident.

Yedo December 6 1861
Townsend Harris
Minister Resident.

No. 54
2 Enclosures.

Received.

Transmitting a/c for Expenses
of Diplomatic Intercourse
and advice having drawn
for the Amount.

No. 36.

Legation of the United States in Japan.
Jedo. September 21. 1860.

Sir.

I have the honor to transmit herewith account and vouchers for sundry expenses incurred by me on my two audiences of His Majesty the Tycoon of Japan, and at various interviews with the Ministers for Foreign Affairs, the whole amounting to Twohundred and eighteen Dollars and Sixty seven Cents, which amount was expended between the 15th of October 1859 and the 3d of September 1860.

These charges arise from the peculiar habits and customs of this Country. They would not be required in diplomatic intercourse, held with

The Honorable
Lewis Cass
Secretary of State
Washington.

Jedo. dispatch No. 36 1860

any civilized State, but in this semi-
civilized land, they are of essential
importance, and a refusal to comply
with the established etiquette, that
attends official intercourse in this
Country would entail a damage to
our Interests, that could not be-
measured by a mere money standard.

I beg to state, that the account
does not include any charges for my
ordinary and permanent Retinue, which
attended me on the occasions stated
in the account.

I respectfully submit this to
Your favorable Consideration and I
have to request, that I may be instructed
as to the manner, in which I shall
draw for the same, provided You are
pleased to approve of the account.

I have the honor to be Sir
Your respectfully
Your Obedient Servant
(Signed) Townsend Harris
Minister Resident.

Enclosure No 2
with despatch No 54
dated December 3. 1861.

Copy of despatch. No 36
of Sept 21. 1860. relating
to expenses of diplomatic
intercourse in Japan.

Rec'd 2nd Mar. Mr Clarke

No: 55. Copt

Legation of the United States in Japan
Jedo, December 20, 1861.

Sir,

I have the honor to transmit herewith No: 1. Copy and translation of a letter from the Japanese Minister for Foreign Affairs, informing me of their intention to re-occupy the Ogasawarad ôima or Bonin Islands.

The Japanese have frequently referred to these Islands in their unofficial intercourse with me, and have stated, that the group in Question was discovered by them in the 16th Century of our Era, and that they were then colonized to a certain extent, and the whole were named after the Prince to whose jurisdiction they

The Honorable
Wm H Seward
Secretary of State
Washington.

they were attached.

Among other enactments that followed the expulsion of foreigners in Japan was one which forbade the Construction of Ships except with open Sterns, as is seen in their junk of the present day.

The consequence of this law was the loss of many of their vessels that were employed in the intercourse with the Bonin Islands; and so frequent did these disasters become, that the group was finally abandoned about 70 years ago (say 1790).

They say that now they have got Ships and Steamers built after Western models, and there is therefore no reason why they should not once more "occupy their old colonies.

I transmit herewith No 2. Copy of my answer to the Ministers, and You will observe that I have Carefully reserved the rights of all American Citizens in those Islands.

The Japanese have privately

informed

informed me, that they shall not molest any Americans they may find there, or attempt to disturb them in the possession of their houses, lands and other property. - They added, that so far from preventing Ships from coming there for supplies, they meant to give increased inducements to Ships to touch there.

The question of Sovereignty, I did not either admit or question, deeming it best to leave a matter of so much gravity to be decided by Your superior wisdom.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

Yedo. December 20. 1861

Townsend Harris

Minister Resident

No. 55

2 Enclosures

Received.

Relating to a proposed occupation of the Bonin Islands by the Japanese.

To

His Excellency
Townsend Harris
Minister Plenipotentiary
of the United States of
America.

* * *

We have to inform Your Excellency, that Midsuno Iskugo no kami, Governor for Foreign affairs and Hattori Kee-itsi Metske (Censor) and others will be sent to Ogasawara's Sima, the Islands subject to, and situated to the Southward of Japan, the cultivation of which has remained discontinued for a long time, without visiting them; by which visit our occupation of these Islands will be gradually effected.

— We learned, that some people from America have been living there for some time, - though nothing is known with Certainty; — Wherefore we state the foregoing to Your — Excellency for Your information.

With respect and Courtesy:

&c.

On the 16th day of the 11th month of the 1st year of Bunkiu (17th December 1861).

(Signed) Kubo Yamato no kami
Ando Tsushima no kami.

(A true translation)
A. L. Portman.

Enclosure No 1.
with despatch No 55.
Dated December 20, 1864.

The Japanese intend
to occupy the Bonin
Islands.

No. 126.

Legation of the United States in Japan
Yedo, December 19. 1861

To

Their Excellencies
Kabe Yamato no kami &
Ando Tsusima no kami
Ministers for Foreign Affairs
&c &c &c
Yedo.

I have the honor to -
acknowledge the receipt of Your -
Excellencies' letter, dated the 16th day
of the 11th moon (December 17th); in
which You inform me, that You
are about sending persons to -
& occupy the Ogasawara & Sima
or Bonin Island.

I shall forward a Copy
of Your Communication to my -
Government for its information and
await its instructions.

In the meantime I
pray Your Excellencies to take notice,
that I reserve all the rights, that

American.

American Citizens may have acquired
in the Islands in Question.

I have the honor to be with respect and Courtesy.

(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 2
with despatch No. 55.
dated December 20, 1861.

Copy of reply of the
Japanese Ministers for
Foreign affairs in regard
to the Bonin Is.

Rec'd 22nd Mar. Mr Clinton.

No. 56. Ents

Legation of the United States in Japan
Yedo December 21. 1861.

Sir,

In my despatch of the 27th Ultimo (No. 50). I had the honor to inform you that the Japanese Government had promised to pay me the sum of ten thousand dollars for the benefit of Mrs Heusken, the widowed mother of the late Interpreter to this Legation

In effect, the money was paid to me on the 14th instant

At the time of making this payment the Japanese Officials stated that it was paid for the benefit of Mrs Heusken, but under two heads, viz:

The Honorable
Wm H Seward
Secretary of State
Washington.

&c

In consideration that Mr. Houkew came to Japan with me, and acted as my Interpeter during all my important and difficult negotiations, they gave - - - - - - - - - $ 4000

Because the death of Mr Houkew had deprived his mother of her usual means of support, they therefore gave $ 6000.

$ 10.000.

And the whole sum was to be considered as being for the use of Mr Houkew.

I have invested this sum in a bill on Shanghae, and have gained $ 250 in exchange, which bill I have sent to Messrs Russell & Co of Shanghae with instructions to purchase a bill on London, and to remit the same to Messrs Baring Brothers & Co the Bankers of the United States in London.

I have written to Messrs Baring desiring them to pay over the proceeds

of

of the remittance they may receive
to Madame Heusken née Smith.
residing at Amsterdam. Holland.

I transmit herewith for your
information No 1. Copy of my letter No 1
to Messrs Russell & Co. and No 2. Copy No 2
of my letter to Messrs Baring Brothers
& Co.

I have the honor to be Sir
Very respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

His Excellency Townsend Harris
Minister Resident from the United States of America
to the Court of Japan - Yedo

I hereby acknowledge that Messrs. Baring Brothers & Co of London
have received on my account — a bill of exchange for the
sum of £2429. 5. — two thousand four hundred twenty nine
pounds 5/. sterling at six months sight — being the proceeds of
9,000 Dollars placed in your hands by the Japanese Government
for my benefit. Dated Amsterdam 8. April 1862
Wed.d D. Heusken
Interpr.

With letter dated Apl 10, 1862. from Messrs Baring
Bros. & Co filed in Mr Baker's room.

Yedo, December 21 1861

Townsend Harris

Minister Resident

No. 56.

2 Enclosures

Received.

Remittance of $ 10000 obtained from the Japanese Government for the benefit of the widowed mother of the Heusken late Interpreter to this Legation.

(Copy)

No 127.

Legation of the United States in Japan
Yedo. December 20th 1861.

Gentlemen.

I enclose first of Exchange dated Kanagawa December 19 1861, drawn by Aspinall Corns & Co (agents) on Mr Howard Gwyther, Manager of the India, Australia and China-Bank at Shanghai at 3 ds in my favor and specially endorsed to You for $ 10.250. Ten thousand two-hundred and fifty Mexican dollars.

I have to request You to invest the proceeds of this bill in Your own or some other undoubted bill on London, not over 60 ds and remit the same to Messrs Baring Brothers & Co London to await my instructions to them.

Messrs Russell & Co
Shanghai.

The

The present remittance represents the sum of $ 10000. which I have obtained from the Japanese Government for the benefit of the widowed mother of H. C. J. Heusken, late Interpreter to this Legation, who was murdered in this City on the 15th of last January

I do not doubt that this information will secure your zealous efforts to make the remittance to London on the best possible terms.

I have the honor to be
Very Respectfully
Your Obedient Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan. -

Enclosure No 1.
with despatch No 86.
dated Yedo. December 21. 1866

Relating to
Remittance to Messrs
Russell & Co Shanghai

Copy.
No. 128.

Legation of the United States in Japan
Yedo, December 20. 1861.

Gentlemen.

I have sent to Messrs Russell & Co of Shanghae a bill at 3 D/s for $ 10.250 with instructions to invest the proceeds in a bill on London, not longer than 60 D/s and to remit the same to You.

The sum of $ 10000 was obtained by me from the Japanese Government for the benefit of Madame Heusken née Smith of Amsterdam Holland, who is the widowed mother of the late Mr H. C. J Heusken of this Legation who was, as You are aware, murdered in this City on the 15th of last January.

Messrs Baring Brothers & Co
London.

When the bill remitted by
Messrs Russell & Co comes to your hands,
I pray You to advise Madame Heusken
of the fact, and inform her on what
day the same is payable.

Permit me further to trouble
You to take from Madame Heusken
an acknowledgment in duplicate, that
She has received so many florins, or
pounds Sterling, being the proceeds of
$10000 placed in My hands by the
Japanese Government for her benefit;
- the acknowledgment need not be
made on Stamped paper.

As a last favor in this connexion
I beg You to send one Copy of the
foregoing acknowledgment to the
Honorable Wm H Seward, Secretary
of State Washington, and to retain
the other for My future use.

I have the honor to be
Very Respectfully
Your Obedient Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.

Enclosure No 2
with despatch No 56
dated Yedo December 21. 1864

Relating to remittance
to Messrs Baring Bros &
London.

Rec 26. Dec. Confidential Mr Clarke

Albany Dec 25. 1861

My Dear Sir

My desire to trespass a little as possible on your time led me to omit calling your notice to these points

1. As the Postmaster office is interpreted, will the Department approve of the appointment of my eldest Son as Secretary, of course without Salary?

2. Should I be obliged to go via Panama and meet the Saginaw at Hong Kong or Shanghai would it not be advisable to go to Yedo Bay in that Vessel if in the opinion of her Commander consistent with the public interest and if so should I have a line from the State or the Navy Department?

3. My Passport is for myself — should this not include my Suite — 2 Sons? Spaniards at the commencement of printed in two tongues the latter in Spanish?

An answer directed to the Astor House will be sent down to reach me in time

Very Truly & Respy

Yrs

Wm H. Seward

Hon
T. M. Lennard
Esq

No. 57. Cont.

Recd 22nd Mar. 1862

Legation of the United States in Japan
Yedo. December 27. 1861

Sir,

I have the honor to acknowledge the receipt of Your Circular of August 19. on the subject of passports, and enclosing a form of the oath of allegiance to be taken by American Citizens, who might apply for passports.

I have communicated the substance of the foregoing to the US Consular Agents in this Country, and also to my Colleagues, the representatives of England France and Holland.

I have the honor to be
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident

The Honorable
Wm H Seward.
Secretary of State.
Washington.

No. 58. Ent. Rec'd 22nd Mar. Mr Dallas

Legation of the United States in Japan
Yedo, December 28, 1861.

Sir,

Mr. Dorr the US Consul at Kanagawa has been advised by his physicians to seek a change of air for the benefit of his health; — and he will accordingly leave very shortly for China, intending to be absent about two months.

I have approved of the — provisional appointment of Mr. E. S Benson as Acting Vice Consul of the United States during the absence of Mr Dorr.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

The Honorable
Wm H Seward
Secretary of State.
Washington.

No. 59. Japan

Desp. 2 Dec. Mar.

Legation of the United States in Japan
Yedo, December 30th 1861

Sir,

Referring You to my despatch No. 52, dated the 2nd instant, I have the honor to inform You, that acting under the authority, contained in Your despatch of August 1st, (No. 18). I have, in conjunction with my Colleagues, consented to the provisional postponement of the date, fixed by Treaty, for the opening of the City of Yedo, as a place of residence for American Citizens.

The English and French Ministers appear to be placed in a most Embarrasing position. — It seems, that early in the present Year, they received instructions from their respective Governments -

The Honorable
Wm H Seward.
Secretary of State
Washington.

&c.

to consent to the above postponement, if, in their opinion, it should be expedient to do so.; — This authority, having been given them on their own urgent — Solicitations.

After the attack on the British Legation on the 5th of July, the English and French Representatives, are understood to have written in very strong terms, recommending, that the Japanese — Government should be held to the strict performance of all its Treaty Stipulations, and that no Modification whatever should be accepted.

Again, their recommendations were adopted, and in Compliance therewith, they received positive instructions on the 25th. instant, to grant no Concessions whatever.

But, in the interim, the heat and excitement, under which they wrote had paped away, and being able to take a Calmer view of the position, they saw clearly, that the measures, they had themselves urged, were fraught with danger

to

to the best interests of all the parties concerned.

They had therefore, pretented to them the difficulty, of either disobeying positive instructions, which had been issued on their own express suggestions, or, of jeopardising the peaceful relations that exist, and of suspending the great and growing trade, that is being Carried on with this Country.

I am happy to Say, that they have accepted the first horn of the dilemma, and by their possible sacrifice of themselves, they partially atone for their former indiscretion and rashness.

I have the honor to transmit herewith the undermentioned papers, all having Connection with the foregoing

No. 1.	Mr. Alcock to Mr Harris	No 99.	Dec 27.	No. 1
" 2.	Mr Harris to Mr Alcock	" 134.	" 27.	" 2
" 3.	Mr Alcock to Mr Harris	" 100	" 27.	" 3
" 4.	Mr Harris to Mr de Bellecourt	" 143.	" 28	" 4
" 5	Mr. de Bellecourt to Mr Harris	—	" 28.	" 5

Yedo December 30 1864
Townsend Harris
Minister Resident

6 Enclosures.

Received -

Relating to provisional postponement of the opening of the City of Yedo.

No. 6. Mr Harris 6 Enclosures No 144. Dec 25 -
I have the honor to be &c
Very Respectfully
Your Obedient Servant.
Townsend Harris
Minister Resident.

No. 99.

British Legation Yedo
December 27. 1861.

Sir.

Having seen the Ministers of Foreign affairs this morning, I am now in a position to answer definitively Your letter No 116 of the 27th Ult., respecting the opening of Yedo to foreign residents for purposes of Trade.

Since I last addressed You on this subject, I have also received instructions from My Government, by which I am directed to demand the fulfilment of all the engagements of the Japanese Government.

As the answer to the Tycoon's letter however has not yet arrived,

To

Townsend Harris Esquire

&c. &c. &c. and.

Yedo. December 30 1861

and it is obvious, that without some previous concert with the Japanese Government, which up to this moment may have hoped for an answer in accordance with their desire, complications might arise such as You describe. I have informed the Ministers, that I am prepared in concert with my Colleagues — provisionally to suspend executions. — I am therefore ready to issue a Notification to that effect, acquainting British subjects, that the City of Yedo will not be opened on the 1st of January next, on learning, that You and Monsieur de Bellecourt purpose taking a Similar Step. — And as the 1st of January is so close at hand, I shall be obliged, if You will Communicate to me Your Course of action in this Matter at Your earliest convenience.

I have the honor to be
Sir
Your most Obedient

I have the honor to be,
Sir,
Your most obedient
humble servant
(Signed) Rutherford Alcock
H.B.M. Envoy Extraordinary
& Minister Plenipotentiary
in Japan.

Enclosure No 1
with despatch No 59.
Dated Yedo. Dec. 30, 1861

Mr Alcock to Mr Harris

No. 134.

Legation of the United States in Japan
Yedo, December 27. 1861.

Sir,

I have the honor to acknowledge the receipt of Your letter No. 99 of this day's date, in which You inform me, that You are prepared to issue a Notification acquainting British subjects, that the City of Yedo will not be opened on the 1st of January next, on learning, that Mr de Bellecourt and myself propose taking a similar step.

I will at once issue a Notification to American citizens informing them that the opening of the City of Yedo is provisionally

Rutherford Alcock Esquire CB.
H.B.M.'s Envoy Extraordinary
& Minister Plenipotentiary
in Japan.

postponed

postponed, and that it will not therefore be opened to them on the 1st of January next.

I would suggest to You, that it might be well to insert some specific time in the Notice, during which the provisional arrangement is to be in force.

If You think this suggestion is of ~~any~~ value, I wish You would inform me of the time You would wish to insert.

I think it desirable that there should be a general accordance in the terms of Notification to be issued, and would therefore request You to favor me, not with a literal copy of Your intended Notification, but its general sense.

I have the honor to be
Sir
Your most Obedient
humble servant
(signed) Townsend Harris
Minister Resident of the United States
in Japan -

Enclosure No 2
with despatch No 59
dated Jedo. Dec 20. 1861

Mr Harris to Mr Alcock
Rr: Mins:

No. 100.

Her Majesty's Legation Yedo
December 29. 1861

Sir,

In reply to Your letter
No. 134 of this date, I have the honor
to State, that I do not feel at liberty,
in view of the instructions, which
have recently been received from my
Government to fix any specific time,
during which Yedo shall not be opened
in reference to the Notification,
which I propose issuing to morrow,
my position in respect to the Queen's
order in Council imposes the necessity
of a somewhat formal document,
with more of legal phraseology than
under other circumstances, I should
have considered desirable or necessary.

To
Townsend Harris Esquire
&c &c &c

Hence it begins with a Recapitulation of my powers as Plenipotentiary and as Consul General under the Queen's Order in Council — to suspend and vary the provisions of the Treaty now in force, and to make Rules and Regulations for the peace, order and good Government of Her Majesty's Subjects within the dominions of the Tycoon.

In virtue of which powers I declare, that the provision for the opening of divers ports and places, on and after the 1st of Jan.y 1862 as places of residence &c — is suspended until further Notice, in so far as respects the City of Yedo; and that no British subject shall be permitted to come to, or to reside in Yedo without special warrant and authority from Her Majesty's Consul General, by and with the consent and Concurrence of the Government of the Tycoon — I ~~should~~ do not propose to attach to the infringement of

this —

this Rule any penalty to be imposed by British Authorities, but to declare, that the offender shall be liable to be dealt with according to the Laws of Japan by the Japanese Authorities," "in the same manner as if the said City of Yedo had not been included as mentioned in the said Treaty; — and further, that no such offender as aforesaid shall have any claim on Her Majesty's Minister, or on any Consul in Japan for protection from the consequence of any such act."

I have here given all the essential points, and I trust the power thus given to the Japanese Government to enforce the exclusion, they so much desire, will be found sufficient to prevent any infringement of the Rule.

I have the honor to be.

Sir

Your most Obedient

Humble Servant.

(Signed) Rutherford Alcock

H.M. Envoy Extraordinary &

Minister Plenipotentiary

in Japan.

Enclosure No 3.
with despatch No 59.
Dated Yedo, Dec 30. 1864

Mr Alcock Rx Min
to Mr Harris.

No. 143.

Legation of the United States in Japan
Yedo, December 28. 1861.

Sir.

I have the honor to acknowledge the receipt of Your Excellency's letter of this day, in which You inform me that You are prepared to postpone provisionally the opening of the City of Yedo, provided You are informed that Your Colleagues will adopt the same measure.

I hasten to inform Your Excellency, that I have already prepared a Notification in which I have informed my Compatriots, that the City of

His Excellency
Duchesne de Bellecourt
H. B. M. Minister Plenipotentiary
in Japan.

Yedo.

Yedo will not be opened to them
on the 1st of January next.

I avail myself of this occasion
to renew to You the apsurance of
the high consideration with which

I have the honor to be

Your Excellency's

most Obedient

Humble Servant

(Signed) Townsend Harris

Minister Resident of the United States

in Japan.

Enclosure. No. 4.
with despatch No 59.
Dated Gvd. Dec 30, 1865

H. Harris to the De-
Bellecourt. Fr. Min

Légation
de France
au Japon.

Jédo le 28 Decembre 1861

Monsieur,

Votre Excellence m'a fait l'honneur de m'informer en réponse à ma lettre de ce jour, au sujet de l'ajournement de l'ouverture du port de Jédo, qu'Elle a déjà préparé une notification, annonçant à ses compatriotes, que la ville de Jédo ne sera pas ouverte le 1er janvier prochain.

Je m'empresse d'informer Votre Excellence, que j'ai de mon côté préparé une Circulaire en vue du même objet, et qu'ainsi rien n'empêchera la réalisation de l'

A Son Excellence.
Monsieur Townsend Harris
Ministre des Etats Unis
au Japon.

accord

accord commun sur cette matière
des Représentans des différentes
Puissances Occidentales accréditées
à Jédo.

Veuillez agréer, Monsieur
les assurances de la haute
considération, avec laquelle j'ai
l'honneur d'être,

de Votre Excellence
le très humble et très
obéissant Serviteur
(Signed) Duchesne de Gellecourt
Ministre de France au Japon.

Legation
of France
in Japan.

Yedo, December 28, 1861.

Sir,

I had the honor to receive
Your Excellency's reply to my
letter of this date, relating to the
postponement of the opening of the
port of Yedo, in which You inform
me, that You have already prepared
a Notification to Your Countrymen
to the effect, that the City of
Yedo will not be opened on the
1st January next.

I hasten to inform
Your Excellency, that I have also
prepared a Circular for the same
purpose; and since there is nothing
to prevent giving effect to the
agreement on this subject by the

His Excellency Representatives
Townsend Harris
Minister of the United States in Japan.

US Legation in Japan

Enclosure No 5.
with despatch No 59.
dated October 20 1861.

Representatives of the several
Western Powers. accredited at Yedo.
Replies received in answer to
Despatches of the 8th instant
with which I have been honored
from Your Excellency &
from Rear Admiral
Hon. Bellecourt
Humble Servant.
(Signed) Duchesne de Bellecourt.
Minister of France in Japan.
(a true translation)
A. L. C. Portman.

Mr de Bellecourt to Mr
to Mr Harris
Copy & translation

No. 144.

Legation of the United States in Japan
Yedo, December 28, 1861.

Sir,

In the exercise of special authority conferred on me by the President of the United States, and acting in Conjunction with my Colleagues, I have consented to the provisional suspension of so much of the third Article of the Treaty of Yedo, as provides, that on and after the 1st day of January 1862. American Citizens may reside in the City of Yedo; consequently visits to this City cannot be legally made until further notice.

In the case of persons having business with this Legation, which cannot be transacted by letter, a proper

Mr. E. J. Benson.
Acting US Vice Consul
Yokohama.

proper passport will be furnished to all such parties, and any visit to this City made without a proper authorization from this Legation will be a misdemeanor, and will be so treated by You.

The present step has not been taken by me without long and anxious consideration, and after I was fully convinced, that the true interests of those, who desire the continuance of peaceful relations with this Country called for its adoption.

I think that the propriety of my present action will be admitted by all, who have duly considered our present position in this Country; and I trust, that all will cheerfully yield to the necessities of the present case.

I desire You to bring the foregoing to the knowledge of the American Citizens residing within Your Consular district.

I

I am &c
Your Obedient Servant
(Signed) Townsend Harris
Minister Resident of the United States
in Japan.-

Enclosure. No 6.
with despatch No 59.
Dated December 30 1861

Mr Harris to Mr E S Benson
Actg US Vice Consul Yokohama
Notification

Rec 22nd Mar. Mr Chitta

No 60
Dest

Legation of the United States in Japan
Yedo, December 30, 1861.

Sir,

I have the honor to inform you, that I have issued passports to the following American citizens. viz:

Charles H. Angel, and
John Wilson,—

and I transmit herewith Copies of —— the documents, on which the same were granted.

I have the honor to be Sir
Very Respectfully
Your Obedient Servant
Townsend Harris

Minister Resident

The Honorable.
Wm H. Seward
Secretary of State
Washington.

Yedo. December 20 1859
Townsend Harris
Minister Resident.

No. 60

2 Enclosures

Received.

Passports granted to
Messrs Chas H Angel and
John Wilson American
Citizens -

I. John Wilson do Solemnly Swear that I will support, protect and defend the Constitution of the United States against all enemies whatever domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any Ordinance, Resolution or Law of any State, Convention or Legislature to the Contrary notwithstanding; and further, that I do this with a full determination pledge and purpose without any mental reservation or evasion whatsoever; and further that I will well and faithfully perform all the duties, which may be required of me by law. - So help me God.

(Signed) John Wilson

Sworn and Subscribed to
before me the 29th Day of December 1861
(Signed) E.S. Benson
Actg US Vice Consul.

(S).

I, John Wilson do Solemnly and truly swear that I am a Citizen of the United States; that I was born in Albany. State of New York - that my last place of residence was Yokohama. Japan

(Signed) John Wilson

Sworn and Subscribed to
before me. the 29th day of December 1861
(Signed) E S Benson
Actg US Vice Consul.

Personal

Personal description

Age - 45 years
Returns. 5 ft. 6½ inches
Forehead prominent
Eyes blue
Nose Grecian
mouth Straight
Chin round.
Hair grey
Complexion light
Face oval.

(Sd.) Spinetus / John Wilson).

I certify the foregoing to be a true copy of the original document on file in the Auditor of this Legation.

U.S. Legation Yokohama Dec 28th 1865 A. L. C. Portman.

U.S. Legation in Japan

Enclosure No 2
with despatch No 60
dated Yokohama Dec 30. 1865

relating to passport of
John Wilson.

I, Charles H. Angel do solemnly Swear that I will support protect and defend the Constitution of the United States against all enemies whatever, whether Domestic or Foreign and that I will bear true faith, allegiance and loyalty to the Same, any ordinance resolution or law of any State, Convention or Legislature to the contrary notwithstanding, and further that I do this with a full determination pledge and purpose, without any mental reservation or evasion whatsoever; and further that I will well and faithfully perform all the duties, which may be required of me by law. So help me God.

(Signed) Chas. H Angel.

Sworn and Subscribed to
before me this 27th day of December 1864
(Signed) E S Benson (LS).
Actg U.S. Vice Consul.

I, Charles H. Angel do solemnly Swear that I am a Citizen of the United States; - that I was born in Genesee, State of New York - that my last place of residence was Shanghae - China.

(Signed) Chas H Angel.

Sworn and Subscribed to
before me this 27th day of December 1864
(Signed) E S Benson (LS).
Actg U.S. Vice Consul.

Personal

U.S Legation in Japan.

Enclosure No 1.
with despatch No 60.
Dated Yedo. Dec 30 1867.

Relating to passport of
Chas H. Angel

Personal description.
Age 24 years.
Stature 5 ft 10 inches
Forehead
Eyes
Nose
Mouth
Chin
Hair
Complexion
Face.

(Signature) Chas H. Angel.

I Certify the foregoing to be a true copy of the original document
on file in the Archives of the Legation.
U.S Legation Yedo. December 25 1867.

A. L. C. Portman.

No. 61.
Ext.

Rec'd 27 Mar. Mr Chubb

Legations of the United States in Japan.
Jedo. December 31. 1861.

Sir.

I have the honor to transmit herewith No. 1. my account for Salary for the quarter ending this day, and to inform You, that I have drawn on the Department in the prescribed form for Sevenhundred and ninety 33/100 dollars, which draft is supported by the required Vouchers. No1.

I have the honor to be. Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm H Seward
Secretary of State
Washington.

Yedo. December 31. 1861
Townsend Harris
Minister Resident

No. 61.

1. Enclosure with 30 inches

Received.

a/c for Salary.
for the quarter ending
Dec 31. 1861.

No. 62. Ext. Rec'd 27. Mar. Mr Clarke

Legation of the United States in Japan
Jedo. December 31. 1861.

Sir,

I have the honor to transmit herewith my account for the Contingent expenses of this Legation, for the Quarter ending this day and showing a balance in my hands of $ 186. 40.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable.
Wm H. Seward.
Secretary of State
Washington.

Yedo. December 31. 1861

Townsend Harris

Minister Resident.

No. 62.

1. Enclosure & 6 Vouchers

Received.

A/c for Contingent expenses
for the quarter ending 31st
1861.-

No. 63. East.

Re. 27. Mar. Mr Colton

Legation of the United States in Japan
Yedo. December 31. 1861.

Sir.

I have the honor to transmit herewith a list of the persons at present employed at this Legation

I have the honor to be Sir
Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident

The Honorable.
Wm H. Seward.
Secretary of State
Washington.

Feb December 31 1861
Fournent Harris
Minister Resident

No. 63.

1. Enclosure.

Received

Transmitting list of
persons employed at
this Legation.

Return of the persons employed at the Legation of the United States in Japan.

Name.	Rank.	Where Employed	Where born.	Where Appointed	Compensation.
Townsend Harris	Minister Resident	Yedo.	New York.	New York.	$7.500.
A. L. C. Portman.	Interpreter.	do	Holland	Kanagawa.	$2500.

U.S. Legation Yedo. December 31. 1861.

Townsend Harris

Enclosure No 1.
with despatch No: 63.
Dated Yedo, Dec 31. 1861.

List of persons employed
at the Legation.

No. 64. Ent. Rec. 27. Mar. M. Webster

Legation of the United States in Japan

Yedo. 18.

Sir.

I have the honor to transmit herewith list of Despatches addressed by this Legation to the State Department during the Year 1861.

I have the honor to be Sir

Very Respectfully

Your Obedient Servant

Townsend Harris

Minister Resident.

The Honorable

Wm H Seward.

Secretary of State

Washington.

Edo. December 31 1861
Townsend Harris
Minister Resident

No. 64.
1 Enclosure.

Received.

Transmitting list of
despatches sent to the
Department during the
year 1861.

List of despatches addressed to the State Department during the year 1861. from the United States Legation in Japan.

Yedo. December 31st. 1861.

No. 1.	dated.	Yedo.	January 1st.
" 2.	"	"	" 1
" 3	"	"	" 22.
" 4.	"	"	" 22.
" 5	"	"	" 23.
" 6.	"	"	" 26.
" 7.	"	"	February 1.
" 8	"	"	" 13.
" 9	"	"	" 20.
" 10	"	"	" 25.
" 11.	"	"	March 6.
" 12.	"	"	" 7
" 13.	"	"	" 13.
" 14.	"	"	April 1.
" 15	"	"	" 1.
" 16	"	"	" 3
" 17	"	"	" 8.
" 18	"	"	" 25.
" 19.	"	"	May 4.
" 20	"	"	" 8.
" 21.	"	"	June 9.

Continued.

No.	22.	dated. Yedo.	June 18.
"	23	" "	" 21.
"	24	" "	July 1.
"	25	" "	" 1.
"	26	" "	" 2
"	27	" "	" 5
"	28	" "	" 9
"	29	" "	" 10.
"	30	" "	" 12.
"	31	" "	" 15.
"	32	" "	" 31.
"	33	" "	August 2
"	34	" "	" 20.
"	35	" "	September 7.
"	36	" "	" 17.
"	37	" "	October 1.
"	38	" "	" 1.
"	39	" "	" 7.
"	40	" "	" 14.
"	41	" "	" 16.
"	42	" "	" 18.
"	43	" "	" 22.
"	44	" "	" 28.
"	45	" "	November 7.
"	46.	" "	" 15.

Continued

No.	47.	dated	Yedo	November 16.
"	48	"	"	" 18.
"	49	"	"	" 23.
"	50	"	"	" 27.
"	51.	"	"	" 30
"	52	"	"	December 2.
"	53	"	"	" 7.
"	54.	"	"	" 13.
"	55	"	"	" 20.
"	56	"	"	" 21.
"	57	"	"	" 27
"	58	"	"	" 28
"	59	"	"	" 30
"	60	"	"	" 30
"	61	"	"	" 31
"	62	"	"	" 31
"	63	"	"	" 31
"	64.	"	"	" 31.

Enclosure No 1
with despatch No 64
dated Gibr. December 31. 1861

List of despatches sent to
the Department during
the Year 1861.

No. 1. Encl.

Rec'd 27. Mar. Mr Clitherall

Legation of the United States in Japan
Jedo, January 1. 1862

Sir,

I have the honor to inform you, that I have this day issued a passport to George R Hall, an American Citizen; — and to transmit herewith Copies of the documents, on which the same was granted.

I have the honor to be, Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm H Seward
Secretary of State
Washington.

Yedo January 1. 1862
Townsend Harris
Minister Resident.

No. 1.

1 Enclosure.

Received.

Transmitted to Genl Hall.

I, Geo R. Hall do Solemnly Swear that I will Support, protect and defend the Constitution and Government of the United States against all enemies, whether Domestic or Foreign; and that I will bear true faith, allegiance and loyalty to the same, any Ordinance, resolution or law of any State Convention or Legislature to the Contrary notwithstanding; - and further, that I do this with a full determination, pledge and purpose without any mental reservation or evasion whatsoever; - and further that I will well and faithfully perform all the duties, which may be required of me by law. - So help me God.

(Signed) G.R. Hall.

Sworn to and Subscribed before me
this 31st day of December AD 1861.

(Signed) E.S. Benson
US Vice Consul.

(L.S.)

I Geo R Hall do Solemnly Swear that I am a Citizen of the United States, that I was born in Bristol. Rhode Island, my last place of residence was Yokohama Japan - my profession a Merchant.

(Signed) G.R. Hall.

Sworn to and Subscribed before me
this 31st day of December AD. 1861

(Signed) E.S Benson.
US Vice Consul.

(L.S.)

Personal Description

Age	40 Years.
Stature	5 ft 8½ inches
Forehead	high
Eyes	grey.
Nose	Grecian
Mouth	large
Chin	broad
Hair	light
Complexion	fair
face	medium.

I Certify the above to be true Copies of the original documents on file in the Archives of this Legation.

US Legation Yedo, January 1, 1862.

A.L.C. Portman.

Enclosure No 1.
with despatch No 9
dated Yedo, January 1. 1862

Certified Copies of Documents
on which a passport was
granted to Geo. R. Hall

No. 2 Ent. Re- 27 Mar. Mr Black

Legation of the United States in Japan
Yedo. January 1. 1862.

Sir,

In my despatch No. 59 dated December 30 1861, I had the honor to inform You, that I had, in-Conjunction with my Colleagues, consented to the provisional — postponement of the date fixed by Treaty for the opening of the City of Yedo to American citizens; - and I transmitted Copy of my Notification to the US Vice Consul at Kanagawa to that effect.

I have the honor to transmit herewith Copies of the Notifications issued by my Colleagues, as follows:
No. 1. from Mr Alcock British Minister

The Honorable
Wm H Seward
Secretary of State
Washington.

No. 2.

No. 2 pour Mr. de Bellecourt French Minister
" 3 " Mr. deWit Neth: Consul General

I have the honor to be Sir
Very. Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident.

Yedo. January 1. 1862
Townsend Harris
Minister Resident

No. 2
3 Enclosures

Received.

Rom. opening of Yedo.

14/

British Consulate. Yokohama
28th December 1861

Notification.

The Undersigned H.B.M. Consul publishes the annexed Despatch from H.M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan, together with the Regulation respecting the opening of Yedo, for general information.

(Signed) J. Howard Syle.
H.B.M.'s Consul.

H.M.'s Legation Yedo
December 27. 1861.

No. 62.

Sir,

I forward to You Yedo for circulation the enclosed Regulation suspending the provision for the opening of Yedo on and after the first of January next until further notice. I have taken this Step in concert with the Representatives of other Treaty Powers now in Yedo after mature deliberation, moved thereto by divers reasons affecting the Peace, Security and Good Government of Her Majesty's Subjects in Japan

without

without prejudice to the right existing from the date specified in the Treaty. When it may expedient with due regard to the national interests involved, and the peace and security of British residents in Japan, to exercise the right is a question for grave consideration in the actual State of our relations; - but in nothing affects the existence and validity of the right. To make it possible without serious risk of very lamentable complications and a general insecurity of life, some preconcerted arrangement and action of on the part of the Japanese Authorities are essential. However much Her Majesty's Government may desire to maintain Treaty rights, and be disposed to require the fulfilment of all engagements, there must be some regard to practical difficulties of execution and the State of the Country. I have no doubt whatever that the British - Community at Your Port will be sensible that only thus can their true interests be promoted and life protected. This measure has been taken with no other

object

object, nor will it I trust be necessary to refuse such facilities to the Residents at the Ports for occasionally visiting Yedo, as have hitherto been afforded through the Legation.

You will see that I have not attached any penalty for the infringement of the Rule to be enforced by British Authority, and I am willing to hope no penalty will be necessary to restrain British Subjects from its violation. — Should it however prove otherwise it will be competent to the Japanese Authorities to deal with the Offence according to their own Laws. — and as it is at their urgent Request, and in Consequence of reiterated representations of grave anxiety for the result, if Foreigners were indiscriminately admitted and allowed to reside in Yedo under existing Circumstances, it can hardly be doubted, that they will take very efficient Steps on their own account to rigorously enforce the rule

You will be pleased to make the

Purport

purport of this Despatch Generally known among the British Residents at Your Port for their information and Satisfaction

I have the honor to be

Sir

Your most Obt

Humble Servant

(Sig) Rutherford Alcock.

To J Howard Vyse Esq.

H Britt Consul

Kanagawa

Whereas I, the Undersigned Rutherford Alcock am and being Envoy Extraordinary and Minister Plenipotentiary for H.M. the Queen of Great Britain in Japan have authority to suspend and vary provisions of the Treaty now in force between Her Majesty and the Tycoon of Japan. And whereas by an Order in Council providing for the exercise of Consular jurisdiction over British subjects in Japan under 6 and 6 Vic: Cap: 24 dated the 28th of Jan.y 1860, powers given

to the Consul General and Consuls, or persons duly authorized in such Capacities in the dominions of the Tycoon of Japan, in the Port, place or District, in which they may severally reside, to make rules and regulations for the peace, order and good Government of Her Majesty's Subjects being within the dominions of the aforesaid Tycoon, and for the observance of the stipulations of any Treaty or Regulations appended thereto made between Her Majesty, Her Heirs and Successors and the Tycoon of Japan.

Be it known that I Rutherford Alcock Esq. Envoy Extraordinary, Minister Plenipotentiary and Consul General in Japan, in Consideration of divers reasons affecting the Peace, Security and good Government of Her's Subjects in Japan, and also in Consideration of divers other good and weighty reasons, do hereby make the following Rules & Regulations, to wit:

That the provision for the opening of divers Ports and places on

and

and after the 1st of January 1862 as places of residence of and for British subjects and for purposes of Trade is hereby suspended until further notice, in so far as respects the City of Yedo and that no British subject shall be permitted to Come to, or to reside in Yedo, without special warrant and authority from His Consul General, by and with the Consent and Concurrence of the Government of the Tycoon; and that any infringement of this rule in the meantime and until after such further notice as aforesaid shall render the Offender liable to be dealt with according to the Laws of Japan by the Authorities appointed by the Government of the Tycoon, in the same manner as if the said City of Yedo had not been included or mentioned in the said Treaty, and further that no such Offender as aforesaid shall have any claim on H. M. Minister, or on any Consul in Japan for protection from

the

Consequences of any such offence.

Given under my hand and Seal this Twenty Seventh day of December in the Year of Our Lord 1861.

(Sg) Rutherford Alcock.

Hds Envoy Extraordinary
Minister Plenipotentiary &
Consul General in Japan.

Enclosure. No 1.
with despatch No 2
dated Yedo. Jany 1 1862

Notification of the
British Minister.

Légation de France
au Japon.

Avis Officiel.

Au nom de Sa Majesté l'Empereur des Français.

Nous soussigné du Chesne de Gelleroult Ministre Plénipotentiaire et Consul Général de France au Japon, Officier de l'ordre Impérial de la Légion d'honneur, de l'ordre royal de Danebrog et de l'ordre royal de Léopold de Belgique. &. &.

Avons pris et portons à la Connaissance de nos nationaux, la décision suivante, qui devra produire plein et entier effet de tout règlement d'administration publique de notre Compétence.

Décision.

En vertu du traité Conclu entre la France et le Japon en 1858 la ville de Jédo doit être ouverte au Commerce le 1er Janvier 1862, et Cette clause ne saurait être modifiée que par le Consentement des parties Contractantes.

D'autre part le Gouvernement de l'Empereur a conféré à Son

Représentant à Yédo sur cette matière une latitude d'appréciation et d'action suffisante pour lui permettre de prendre les mesures, que les Circonstances rendraient nécessaires, toutes réserves étant faites en ce qui concerne les droits qui résultent du traité.

En conséquence le Ministre de France soussigné déclare, que tout en maintenant la réserve du droit consacré en l'art: 3. du traité, relativement à l'ouverture de Yédo, il a reconnu qu'il convient de prendre en sérieuse considération les conditions, dans lesquelles on pourrait réclamer fructueusement l'exercice de ce droit.

Sur ce point il est d'opinion, que la ville de Yédo ne saurait être ouverte en ce moment au Commerce étranger, en raison de motifs de sécurité, comme de haute portée politique, dont il a d'ailleurs été rendu compte au Gouvernement Impérial.

Par ces motifs, et usant des pouvoirs qui lui appartiennent, le

Ministre de France soussigné décide:

Jusqu'à nouvel ~~de~~ avis nul Sujet Français ne pourra se rendre à Yédo pour y faire le Commerce ou pour toute autre Cause, s'il n'est pourvu d'une autorisation signée par le Représentant de l'Empereur.

Fait a Yédo le 27 Décembre 1864

Le Ministre Plenipotentiaire &
Consul Général de France au Japon
(Signé) Duchesne de Bellecourt.

Legation of France in Japan.

Official Notifications.

In the name of His Majesty the Emperor of the French. -

We the Undersigned Duchesne de Bellecourt, Minister Plenipotentiary and Consul General of France in Japan, Officer of the Imperial Ordr. of the Legion of honour, of the royal order of Danebrog, and of the royal order of Leopold of Belgium &c &c

Do hereby take and make known to Our countrymen the following decision, which is to be of full effect and force as any public act within our jurisdiction.

Decision.

According to the Treaty, concluded in 1858 between France and Japan, the city of Yedo is to be opened for the purpose of trade on the 1st of January 1862., and this clause can only be modified by the consent of the Contracting parties.

The Government of the Emperor however; has conferred upon its Representative at Yedo discretionary power on this subject, enabling him to take such measures

as

as circumstances should render necessary, under full reservation of the rights secured by the Treaty.

In consequence thereof the Undersigned Minister of France declares, that, while reserving the right secured by Art 3 of the Treaty, relating to the opening of Yedo, he thinks proper to take into serious consideration how the exercise of that right can be claimed to advantage.

And he is of the opinion, that the City of Yedo should not be opened to foreign trade at this time, as well in view of safety, as from political reasons of high import, of which the Imperial Government is cognisant.

From these motives, and in the exercise of his lawful authority, the Undersigned Minister of France decides:

That until further notice no French subject shall have the right to go to Yedo for the purpose of trade, or any other purpose, unless he be provided with an authorisation signed by the Representative of the Emperor.

Done at Yedo. the 27. December
1864.

The Minister Plenipotentiary and
Consul General of France in Japan.
(Signed) Duchesne de Bellecourt.
a true translation
A. L. Portman.

Enclosure No 2
with despatch No 2
dated Jeddo January 1. 1862.

Notification of the
French ministers.

—

Consulaat Generaal der Nederlanden
in Japan.

No. 503.

Desima 26th November 1861.

Bij missive van 24 dezer No. 495, heb ik aan de Japansche Regering kennis gegeven dat het verblijf te Jedo voorlopig voor den tijd van 2 of 3 maanden na 1 January 1862 aan Nederlanders ontzegd zal blijven. Onder mededeeling hiervan heb ik de leden EW Gg. uitgenodigen om dezen maatregel ter kennis te brengen van de Nederlanders onder uw ressort gevestigd.

De Consul Generaal der Nederlanden in Japan

(W.) J. K. de Wit

Aan den Consul
der Nederlanden
te Kanagawa.

Consulate General of the Netherlands
in Japan

No. 503. Yokohama November 26, 1861

In my despatch No. 495 of the 24th instant, I informed the Japanese government, that for a provisional term of six months from the 1st January 1862, Netherlanders shall not be allowed to reside at Yedo. - In communicating this to You, I have the honor to request You to bring this measure to the knowledge of all Netherlanders residing within Your Consular district.

The Consul General of the Netherlands
in Japan.
(Signed) J. K. de Wit.

To
The Consul
of the Netherlands
at Kanagawa.

A true translation
A. L. C. Portman.

Enclosure No 3
with despatch No 2
dated January 1. 1862

Notification by the
Neth Consul General

No. 3 Ext

Rec'd 27 Mar. Mr Curtis

Legation of the United States in Japan
Yedo, January 2. 1862

Sir.

Referring You to my despatch (No. 55) of December 20th, I had the honor to inform You of the intended reoccupation of the Bonin Islands by the Japanese Government.

I have the honor to transmit herewith No. 1. Copy and translation of a letter from the Japanese Ministers for Foreign affairs, explaining the policy they mean to pursue in those Islands. No 1

I have the honor to be Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident

The Honorable
Wm H. Seward
Secretary of State
Washington.

Yedo. January 2. 1862
Townsend Harris
Minister Resident

No 3.

1 Enclosure.

Received.

Ogasawarads Sima or
Bonin Islands.

Aan Zyne Excellentie
Townsend Harris
Gevolmagtigde en Minister
der Vereenigde Staten van
Amerika. enz. enz. enz.

Uwen brief No. 126 gedateerd den
19den December, welke Gij tot antwoord
op onzen brief aangaande de volk-
planting van Ogasawarasima
geschreven hebben, hebben wy ontvangen,
en den inhoud daarvan begrepen.

Terwyl het voormelde eiland
eigenlyk onze bezitting is, is derzelfs
bebouwing en tusschentyds verwaarloosd;
derhalve zyn wy nu van voornemen
om Zulks eveneens te bewerkstelligen.

Intusschen dullen daarentegen
de Amerikanen, ja Zelfs eenige
andere Natiën, die tot nu toe daar
hun verblyf hebben, Zoo gelaten
worden, dat Zy er gerust mogen
wonen; en naar de gesteldheid van
dat eiland Zal het tolkantoor
naderhand aldaar opgericht, en een

maatregel daarvoor bepaald worden.
Doe is het wenschelyk dat Sy Zulks
immer in aanmerking willen-
nemen; Ketwelk wy aan U Ed.
voorlopig hebben mede te deelen.

Met eerbied en beleefdheid

Den 2den dag der 12de maand
van het 1de jaar van Bunkin

(Hartzel) Koedje Jamato no Kami.

Ando Doesima no Kami.

To His Excellency
Townsend Harris
Plenipotentiary & Minister
of the United States of America

We have to acknowledge receipt of Your letter No 126 dated December 19. in reply to Our letter, relating to the occupation of the Ogasawarad Sima (Bonin Island). and its contents are understood.

The said Island properly belongs to us, but its cultivation was — neglected, wherefore we now intend to effect this.

Of course, Americans and people of other Nations who may reside there will not be disturbed, and be allowed to remain in peace; — if found necessary a Custom House will afterwards be established on that Island, and measures taken to that effect.

Desiring You to take the foregoing into Consideration we state this for the present to Your Excellency with respect and courtesy.

W

Enclosure No 1.
with despatch No 3.
Dated January 2. 1862.

Copy & translation letter
Mins: for F.A. relating
to Bonin Islands.

On the 2nd day of the 12th month
of the 1st year of Genji (1st January 1862)
Ogasawara no Kami
Sado no Kami.

(A true translation)
S. Eto Catanau.

No. 4. Seal. Rec'd 13. May. Mr. Chittenden

Legation of the United States in Japan
Jedo. January 8th. 1861

Sir,

I have the honor to inform You, that I have this day issued a passport to Chas. H. Richards, an American Citizen; and to transmit herewith No. 1. Copies of the documents, No. 1 on which the same was granted.

I have the honor to be, Sir.

Very Respectfully
Your Obedient Servant

Townsend Harris
Minister Resident

The Honorable
Wm H. Seward.
Secretary of State
Washington.

Legation of the United States
Yedo, January 8 1862.
Townsend Harris
Minister Resident.

No. 4.
1 Enclosure.

Received.

A passport granted to
Chas H. Richard. an
American Citizen.

I, Charles H Richard do Solemnly Swear that I will support, protect and defend the Constitution and Government of the United States, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution, or law of any State Convention or Legislature to the contrary notwithstanding and further, that I do this with a full determination, deffy and purpose without any mental reservation or evasion whatsoever - and further that I will well and faithfully perform all the duties, which may be required of me by law. So help me God.

(Signed) C H. Richard.

Sworn to and Subscribed
before me this 7th day of January 1862.
(Signed) E S Benson
(LS). US Vice Consul

Charles H. Richard, being duly sworn, says, he is an American Citizen, that he was born in New London Connecticut; - that his last place of residence was Yokohama Japan - that by profession he is a merchant.

(Signed) C H. Richard.

Sworn to and Subscribed
before me this 7th day of January 1862.
(Signed) E S Benson
(LS). US Vice Consul.

Personal description.

Age	25 Years.
Stature	5 ft 4 inches
Forehead	Medium
Eyes	Hazel
Nose	Grecian
Mouth	Small.
Chin	round.
Hair	dark.
Complexion	fair
Face	oval.

I Certify the above to be true Copies of the original - documents on file in the Archives of this Legation,-
US Legation Yedo. January 8th. 1862.

A. L. C. Portman.

Enclosure No 1.
with despatch No. 4.
dated Yedo January 8 1862.

Copy of document which
passport was granted to
Chs. H. Richards.

No. 5. Ext. Rec. 13. Mar. Mr Chiba

Legation of the United States in Japan
Yedo, January 25. 1862.

Sir,

In Compliance with
Your instructions dated August 28th,
I have the honor to transmit herewith
the oath of allegiance, in the form
prescribed by law, which has been
duly Sworn and Subscribed by -
myself, and Mr Portman the Interpreter
to this Legation

I have the honor to be Sir
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm H Seward
Secretary of State
Washington.

Legation of the U.S. of A.
Yedo, January 25, 1862.
Townsend Harris
Minister Resident

No: 5.
2. Enclosures.

Received.

Oath of allegiance of
myself and of all Postmen
Interpreter.

I, Townsend Harris, Minister Resident of the United States of America in Japan

do solemnly Swear that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State convention or legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that I will well and faithfully perform all the duties which may be required of me by law: So help me God.

Townsend Harris

Sworn to and subscribed before me this twenty fifth day of January 1862, in the City of Yedo.

A. L. C. Portman

Acting Secretary of Legation.

of Legation in Japan.

Enclosure. No 1.
with despatch No 5.
dated January 25, 1862.

My oath of allegiance

I, Anton L. C. Portman, Interpreter to the Legation of the United States in Japan

do solemnly Swear, that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State convention or legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that I will well and faithfully perform all the duties which may be required of me by law: So help me God.

Anton, L. C. Portman.

Sworn to and subscribed before me this twenty fifth day of January 1862, in the City of Yedo.

Townsend Harris
Minister Resident of the
United States in Japan

Enclosure No 2.
with despatch No 5.
Dated January 25. 1862.

Oath of allegiance of
A L. C: Portman Interpreter.

No. 6. Rec'd

Rec'd 25. June. Mr Clarke

Legation of the United States in Japan
Jedo. February 18th. 1862.

Sir,

I have the honor to acknowledge the receipt of Your Despatches Nos. 20 to 25 inclusive, dated from the 7th. to the 21st of October last.

I desire to return You my grateful thanks for the very kind expressions You have used in accepting my resignation, and for the gratifying information that my Successor Mr Pruyn would soon arrive out here, to relieve me of the charge of this Legation.

I have the honor to be,
Very respectfully,
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm. H. Seward.
Secretary of State
Washington.

Yedo, February 18, 1862.
Townsend Harris
Minister Resident.

No. 6.

Received.

Nos. 20 & 25 inclusive
from Department received.

No. 7 Ext.

Recd 25th June.

Legation of the United States in Japan
Yedo, February 20th. 1862.

Sir,

On my despatch No 59. of December 30th., I had the honor to inform You of my action in reference to the postponement of the period, fixed by Treaty for the opening of the Cities of Yedo, Osacca, &c. &c.

I transmit herewith No-1. Copy of a letter addressed to me by Mr Alcock, the English Minister on this subject, and also enclose No: 2, Copy of my reply to the same. No 2

I deemed it only an act

The Honorable
Wm H. Seward.
Secretary of State
Washington.

act of courtesy to Mr. Pruyn, to leave the question open, so that he might not be embarrassed by any imperfect action on my part.

I shall communicate to Mr Pruyn my views at large in this behalf, and then leave him to draw his own conclusions as to the best course to be adopted.

I have the honor to be,

Very respectfully,

Your Obedient Servant.

Townsend Harris

Minister Resident.

Legation of the United States.
Yedo, February 20, 1862.
Townsend Harris
Minister Resident.

No. 7.
2 Enclosures.

Received.

Relating to Hiogo. Ozaca
&c &c &c.

N: 16.

Yokohama. February 14. 1862

Sir.

Referring to Your letter N: 116 of the 27th November last, I have now the honor to acquaint You, that the last mail brought me instructions from Her Majesty's Government, which enable me to deal with the grave question raised by the proposition of the Japanese Government to defer the opening of two Ports and two Cities to foreign Commerce, until the 1st of January 1867. - And as You did me the honor to intimate, that whenever I was prepared to Consider the subject, You would favour me with Your views at large in reference to Osacca, Hiogo and

To

Townsend Harris Esquire
Minister Resident of the United States of America
in Japan.

Hee-e Jata.

Secretary, having already given them in regard to Yedo, I have only to say, that I have been directed by my Government to Consult with my Colleagues before taking action on this most important matter, and I shall be glad therefore to have the benefit of any observations You may see fit to communicate to me, whenever it may be Convenient to You

I have the honor to be

Sir,

Your most Obedient

Humble Servant

(Signed) Rutherford Alcock

H.B.M. Envoy Extraordinary

Minister Plenipotentiary.

&c. &c.

in Japan.

US Legation in Japan.

Enclosure No. 1.
with despatch No 7.
Yeddo Jedo. Feby 20. 1862.

Mr Alcock to Mr Harris.

(Re- 25. June. Mr Chilton

No. 9.

Legation of the United States in Japan
Yedo. February 18th 1862.

Sir,

I have the honor to acknowledge the receipt of Your letter of the 14th instant, in which You request me to Communicate to You my opinions at large in reference to the postponement of the periods fixed by Treaty for the opening of Osacca, Hiogo and Nee-e-gata.

I am informed that my Government has accepted my resignation, and that I may look for the arrival of my successor by the next mail.-

Rutherford Alcock Esquire. C.B.
H.B.M.'s Envoy Extraordinary &
Minister Plenipotentiary
in Japan.
Yokohama.

Under these circumstances I deem it proper to leave my successor to express his views on the foregoing subjects, without being embarrassed by any expression of my opinion I have the honor to be.

Sir,

Your most Obedient.
humble Servant.
(Signed) Townsend Harris.
Minister Resident of the United States
in Japan-

Enclosure. No 2.
with despatch No 9.
Dated Feb.y 20. 1862.

M. Harris & M. Alcock
reply.

No. 8. East.

Rec 25. June. Mr Ghilchrist

Legation of the United States in Japan.
Yedo, February 22. 1862.

Sir,

I have the honor to transmit herewith No. 1, Copy and translation of a letter from Baron Ricasoli, Italian Minister for Foreign Affairs; and also enclose No. 2, Copy and translation from Señor Calderon Collantes, Spanish Minister for Foreign Affairs; - both of which relate to the Circular of the Japanese Government, which was forwarded by me in May last. No 1. No 2

I have the honor to be,
Very Respectfully,
Your Obedient Servant.

Townsend Harris
Minister Resident.

The Honorable
Wm H Seward.
Secretary of State
Washington.

Legation of the United States.
Yedo, February 22, 1862
Townsend Harris
Minister Resident.

No. 8.
2 Enclosures.

Received.

Copy & translation of letters
received from the Ministers
of Foreign Affairs of Italy
and Spain.

Turin le 27 Août 1861.

Monsieur le Ministre,

La Légation des Etats-Unis d'Amérique à Turin a bien voulu me faire tenir la lettre, que vous m'avez fait l'honneur de m'adresser, pour me communiquer la traduction d'une Circulaire du Gouvernement de l'Empereur du Japon, concernant les rapports de cet empire avec l'étranger. — Je vous prie, Monsieur le Ministre, d'agréer mes remerciments pour cette obligeante Communication, en même tems que les assurances de ma Considération très distinguée

(Signed) C. Ricasoli

A Monsieur Townsend Harris
Ministre Résident des Etats Unis
d'Amérique au Japon.

Turin August 27. 1861.

Sir,

Through the Legation of the United States of America at Turin I received the letter, which You did me the honor to write to me, transmitting translation of a Circular of the Government of the Emperor of Japan, concerning the foreign relations of that Empire. — Be pleased, Sir, to accept my thanks for this obliging communication, and also the assurance of my very distinguished consideration.

(Signed) C Ricasoli

To
Townsend Harris Esquire
Minister Resident of the
United States of America
in Japan.

(a true translation)
A. L. C. Portman.

Enclosure No. 1
with despatch No. 8.
dated Legn. February 22/862

Copy & translation of
letter from the Mess:
of J.R. Turin.

Primera Secretaria
de Estado

Madrid, le 12 Octobre, 1861

Monsieur le Ministre.

J'ai eu l'honneur de recevoir votre lettre du 2 Mai dernier, et la Note circulaire que le Gouvernement du Japon a cru devoir adresser en date du 1er., par votre bienveillante entremise, aux Gouvernements, qui ne sont pas en rapports avec lui par suite d'un traité, pour leur faire savoir, que l'exaltation de l'opinion publique contre les étrangers empêche à son regret le Gouvernement de faire à présent de nouveaux traités avec d'autres Puissances.

En vous accusant réception de la dite Note, je vous prie de communiquer au Gouvernement de l'Empereur la réponse suivante, au nom du Gouvernement de Sa Majesté la Reine d'Espagne, mon Auguste Souveraine.

Le

Le Cabinet espagnol regrette beaucoup, que l'opinion publique au Japon soit égarée, au point de haïr des étrangers, professant la croyance que tous les hommes sont des frères, et de s'opposer à faire le Commerce avec eux; — l'échange des produits de l'industrie nationale contre ceux des autres pays étant le moyen le plus sûr pour obtenir le développement de la richesse publique, en encouragent la production, et en procurant aux classes élevées plus de débouchés et de jouissances, et aux pauvres plus de travail et d'aisance. La cherté, qui paraît tant préoccuper les Japonais n'est un mal qu'en apparence; elle est plutôt une preuve réelle de l'augmentation de la valeur de tous les objets indistinctement, en vertu du Commerce extérieur; et le Japonais est le seul parmi les grands peuples du Monde, qui le rejette, et qui en méconnaisse l'utilité.

La

La résolution prise par le Gouvernement du Japon est venue suspendre celui de Sa Majesté au moment où il se proposait d'envoyer un Plénipotentiaire à Jédo, dans le but de négocier un traité, qui, à la fois qu'il placerait là l'Espagne, comme il convient à notre dignité, sur le même pied que les autres Nations, qui ont conclu déjà les leurs, assurerait aux Sujets espagnols et Japonais les avantages d'une amitié solide et d'un Commerce lucratif, aux, quels ils sont appelés très particulièrement, à Cause du voisinage du Japon aux Iles Philippines, l'une des parties les plus importantes des domaines espagnols, et à Cause de l'abondance et de la diversité de leurs produits respectifs.

Cependant, en vue de la déclaration faite par le Gouvernement du Japon, Sa Majesté ajourne l'envoi de Son Représentant; mais

le

le Gouvernement éclairé de l'Empereur,
ne partageant pas les préjugés du peuple
japonais vis-à-vis des étrangers, on a
le droit d'espérer, qu'il mettra en jeu
tous les moyens de persuasion, pour
dissiper les craints du peuple, et toute
la force dont il dispose, pour apaiser
ses élans tumultueux, et pour lui
faire respecter les engagements solennels,
contractés par l'Empereur envers les
Souverains de pluisieurs grands Etats.

Aussitôt que les circonstances
exceptionelles, dans lesquelles paraît se
trouver le Japon, cesseront aux efforts
des Autorités pour les faire disparaître,
et même avant cela, si le Gouvernement
japonais venait à stipuler un nouveau
traité avec quelqu'autre Puissance, il ne
pourrait point se refuser à le célébrer
avec l'Espagne, si Elle le demandait,
sans lui faire une offense, que le
Gouvernement de Sa Majesté ne Compte
pas recevoir de celui du Japon, trop
éclairé pour méconnaître l'égalité et
les égards avec lesquels doivent être traités

les

Nations indépendantes, et dont l'
Espagne lui donne un témoignage,
en respectant sa résolution de ne
pas contracter à présent de nouveaux
engagements internationaux, malgré
que le voisinage des Iles Philippines
au Japon la placent dans des
circonstances préférables de beaucoup
à celles des autres pays.

En attendant, si quelque
navire espagnol faisait naufrage
sur les côtes japonaises, le Gouvernement
de Sa Majesté ne doute pas, que l'
équipage sera traité de la même
manière, que l'ont été en 1859 à
Manile, Capital des Iles Philippines
les quinze japonais naufragés, dont
le Gouvernement de l'Empereur a
eu connaissance en son temps, et
qu'il sera réintégré en Espagne,
ainsi que la coque et les objets
sauvés, comme l'exigent les lois de
l'hospitalité et de la réciprocité
chez tous les peuples civilisés. De
son côté le Gouvernement du Japon

peut

peut être bien persuadé, que celui de Sa Majesté fera toujours un accueil favorable aux Sujets japonais, qui se rendront en Espagne, pour y demander du Secours en cas de Sinistre, ou avec l'intention de visiter le pays et de faire le Commerce avec les Habitants.

Veuillez donc transmettre a LL EE Messieurs les Ministres des Affaires étrangères de l'Empereur tout ce qui précède, en réponse à leur dite Note Circulaire, et me faire savoir leurs avis là-dessus, le cas échéant, et en vous remerciant d'avance, Monsieur le Ministre pour votre obligeante entremise, j'ai l'honneur de vous offrir les assurances de ma considération très-distinguée.

Signé / S Calderon Collantes.

A

Monsieur Townsend Harris
Ministre Résidant des Etats Unis
au Japon.

Yedo.

—

Department of State.

Madrid, October 12, 1861.

Sir,

I had the honor to receive Your letter of the 2nd, and the Circular Note of the 1st of May last, kindly transmitted by You, which the Government of Japan has deemed proper to address to the Governments not in Treaty relations with them - for the purpose of informing those Governments, that they regret, that a strong national feeling against foreigners prevents them for the present from entering into new Treaties with other Powers.

While acknowledging receipt of the said Note, I pray You to Communicate to the Emperor's Government the following reply, in the Name of the Government of Her Majesty the Queen of Spain, my August Sovereign.

The Spanish Cabinet much regrets, that public opinion in Japan should be so far astray, as to hate foreigners, whose faith it is, that all men are brothers, and object to Commercial intercourse with them; exchanging the product of National industry against those of other countries being the surest means of developing public wealth,

by.

by stimulating production, and furnishing to the higher classes encreased opportunities and enjoyments, and to the poor encreased employment and Comfort. - The dearness, which appears to cause such anxiety to the Japanese, is only a seeming evil, but really it proves an encrease in the value of all things without exception, owing to foreign Commerce; and the Japanese is the only one among the great Nations of the World, who rejects it, and declines to acknowledge its benefit.

The decision of the Government of Japan reached Her Majesty's Government at the time, that it was being Contemplated sending a Plenipotentiary to Jedo, with the object of negotiating a Treaty, which, while it would place Spain, in accordance with our dignity, on the same footing with the other Nations, who Concluded theirs already, would also assure to Spanish and Japanese Subjects the benefits of a lasting friendship and a profitable trade, to which their attention is more especially called, because of the vicinity to Japan of the Phillippine Islands, one of the most important parts of the Spanish dominions, and because

of

of the abundance and variety of their productions.

Owing however to the Statement of the Japanese Government, Her Majesty postpones Sending Her Representative, but as the enlightened Government of the Emperor cannot share the prejudices of the Japanese people against foreigners, it is trusted, that they will use all means of persuasion to remove the mistaken notions of the people, and all the power at their disposal to calm its manifestations of excitement, and cause it to respect the solemn engagements, agreed upon by the Emperor towards the Sovereigns of several great Countries.

As soon as the exceptional circumstances, under which Japan appears to be placed, shall give way to the exertions of the Authorities for their removal, and even, if prior to this, the Japanese Government should make a new Treaty with any other Power, they could not, if it were desired, refuse making one with Spain, without offending her, and this Her Majesty's Government does not expect from that of Japan, too enlightened to disregard the equality and Courtesy due.

to

to independent Nations, which Spain proves on this occasion, by respecting their decision not to enter at present into new international engagements, although the vicinity to Japan of the Philippine Islands places her in Circumstances, much to be preferred to those of the other Countries.

Should in the meanwhile any Spanish vessel be wrecked on the Japanese Coasts, Her Majesty's Government trust, that the Crew will be treated like the fifteen shipwrecked Japanese in 1859 at Manila, the Capital of the Philippine Islands, which was at the time brought to the knowledge of the Government of the Emperor; - and that such crew will be returned to Spain, and also the hull and what may have been saved, as required by the laws of hospitality and reciprocity among all civilized Nations.

And the Government of Japan may rest fully assured, that Her Majesty's - Government will always favorably receive Japanese Subjects, coming to Spain in quest of assistance, or for the purpose of visiting

the

the Country, and of trading with its inhabitants.

Be pleased to transmit the foregoing to their Excellencies the Ministers of Foreign Affairs of the Emperor, in reply to their Circular Note, and to inform me of their opinions thereon, as the case may be — thanking You, Sir, beforehand for Your obliging action in this matter, I have the honor to give You the apurance of my very distinguished Consideration.

(Signed) S Calderon Collantes.

To
Townsend Harris Esquire
Minister Resident of the United States
in Japan.
Jedo.

(a true translation)
A. L. C. Portman.

U.S. Legation in Japan.

Enclosure N: 2.
with Despatch N. 8.
dated Yedo. Feb: 22 1862.

Copy & translation of
a letter from the Spanish
Minister of Foreign Affairs.

No. 9. Ent. Rec'd 25. June Mr Clarke

Legation of the United States in Japan
Yedo. March 6th. 1862.

Sir,

It is my disagreeable duty to inform You, that Ando Tsushima no Kami was attacked by a band of assassins on the 13th. Ult. as he was proceeding from his official residence to the Palace of the Tycoon.

The Minister's train saw his Norimon, and drawing his sword, rushed into the melee, in which he was wounded in two places. - The assailants were soon put to flight, leaving six of their number dead at the place of attack, and one of the fugitives, being closely pursued, ripped himself up. - Five of the followers of the Minister were

The Honorable
Wm. H. Seward
Secretary of State
Washington.

Legation no. 9.

were dangerously, and four slightly wounded.

I am happy to say, that the Minister's wounds are healing, and the grave fears, that were at first entertained for his recovery, have now subsided.

I have delayed writing to You up to this time in the hope, that I might procure some reliable — information, as to the exciting cause of this attack, but I am quite at much in the dark now as to its real cause, as I was, when I first heard of it. — It may arise from political rivalry; from a family feud; from a feeling of revenge on the part of the friends of some one, that he has brought to justice; — or, it may have arisen from a dislike to his liberal and enlightened policy in reference to foreigners.

I have had frequent occasion to express the opinion, that the foreign representatives in this country were not the exclusive objects of attack,

but

but that the members of the Government themselves were exposed to the same dangers as the foreign representatives.

The present attack on the Foreign Minister, joined to the murder of the Regent in March 1860, proves the correctness of the views, I have always entertained on this subject.

I have the honor to be,

Very Respectfully,

Your Obedient Servant.

Townsend Harris

Minister Resident.

Legation of the United States.
Yedo, March 6. 1862.
Townsend Harris
Minister Resident.

No. 9.

Received.

The Japanese Minister for
F.A. wounded in a
murderous attack made
upon him on the 13th February
last.

No: 10. Ext.

Recd 25 June. Mr Chodron

Legation of the United States in Japan
Yedo. March 29. 1862

Sir,

I have the honor to acknowledge the receipt of Your despatch of November 19th (No. 25) with my letters of recall, and an Office Copy of the Same.

I shall at once ask for an audience of His Majesty the Tycoon for the purpose of presenting the above letter, and I shall on that occasion renew to His Majesty the assurance of the Cordial friendship of the President and people of the United States.

I shall obey Your instructions to await the arrival of my Successor Mr Pruyn. - I have a letter

The Honorable
Wm H. Seward.
Secretary of State
Washington.

from

from this Gentleman, written at San Francisco on the 8th of February, and from its tenor I have good reason to look for his arrival here during the next month.

I have the honor to be, Sir.

Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident of the United States
in Japan.

Legation of the U.S. in Japan
Yedo. March 29 1862
Townsend Harris
Minister Resident

No. 10.

No Enclosures.

Received.-

Acknowledging receipt
of No. 25 of November 19th
with letter of recall.

No. 11. Copy. Rec'd July 12. Ans'd

Legation of the United States in Japan
Yedo April 1. 1862.

Sir,

I have the honor to transmit herewith No. 1. my account for Salary for the quarter ending the 31st Ultimo. No. 1.
and to inform You that I have drawn on the Department in the prescribed form for seven hundred ninety 33/100 dollars, which draft is supported by the required vouchers.

I have the honor to be, Sir,
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident in Japan.

The Honorable
Wm H Seward,
Secretary of State
Washington.

Legation of the United States

Legation of the U.S. in Japan
Yedo. April 1. 1862.
Townsend Harris
Minister Resident

No. 11.

1 Enclosure. (Voucher.

Received.

A/C. Salary for quarter
ending March 31. 1862.

No: 12. Rec'd 12. July. Mr Dallas

Legation of the United States in Japan.
Jedo. April 1. 1862.

Sir,

I have the honor to transmit herewith my account for contingent - expenses of this Legation for the quarter ending the 31st Ultimo. and showing a balance in my hand of $361 84/.

I have the honor to be. Sir,
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident in Japan.

The Honorable
Wm H. Seward.
Secretary of State
Washington.

Legation of the U.S. in Japan

Legation of the United States
Yedo. April 1. 1862.
Townsend Harris
Minister Resident

No. 12.
1 Enclosure (4 Vouchers)

Received -

Account for Contingent
Expenses in Japan for the
quarter ending March 31/62.

No: 13. Cont. Rec. 29 July. M. White

Legation of the United States in Japan
Yedo. April 16. 1862.

Sir.

I have the honor to inform You, that I have this day issued a passport to Richard J Walsh, an American Citizen; and I transmit herewith copies of the documents on which the same was granted.

I have the honor to be, Sir
Very Respectfully,
Your most Obedient Servant;

Townsend Harris
Minister Resident in Japan.

The Honorable
Wm. H. Seward.
Secretary of State
Washington.

Legation of the United States
Yedo. April 16. 1862
Townsend Harris
Minister Resident.

No. 13.

1 Enclosure.

Received.

Passport for Richard
J. Walsh.

Consulate US of America
Nagasaki April 7. 1862

This day personally appeared before me John J Walsh, Consul of the United States for Nagasaki and the dependencies thereof, Richard J Walsh, who being duly sworn deposeth and saith, that he is a Citizen of the United States having been born in the City of New York on the 20th Day of September 1831. and that his last place of residence was Nagasaki, Japan, that his last occupation was Clerk in a Mercantile house.

(Signed) Richard J Walsh.

Given under my hand and the Seal of this Consulate on this day and Year above written.

(Seal)

(Signed) Jno J Walsh
US Consul.

I Richard J Walsh do solemnly swear that I will support protect and defend the Constitution and Government of the United States against all Enemies Whether domestic & foreign; and that I will bear true faith, allegiance and loyalty to the same, any Ordinance, Resolution or Law of any State, Convention or Legislature to the Contrary notwithstanding and further, that I do this with a full determination pledge and purpose without any mental reservation or evasion whatsoever, and further that I will well and faithfully perform all the duties, which may be required of me by Law. So Help me God.

(Signed) Richard J Walsh.

Sworn to and Subscribed before me at Nagasaki Japan this Seventh day of April AD. 1862

(Signed) Jno J Walsh.
US Consul.

(Seal)

Consulate US of America
Nagasaki April 7. 1862.

Personal Description of Richard J Walsh.

Age.	30 Years.	Hair.	Auburn and Curly
Stature.	5 ft. 7 inches	Complexion	florid
Forehead.	high	Face	full.
Eyes.	hazel		
Nose	straight		
Mouth	ordinary		
Chin	do		

Given under my hand the Seal of this Consulate on the Day and Year above written

(Seal)

(Signed) Jno J Walsh
US Consul.

I hereby certify the foregoing to be a true Copy of the original document on file at the US Legation Yedo. April 16. 1862

A.H.L. Portman.

Legation of the United States

U.S. Legation in Japan.

Enclosure No. 1
with despatch No. 13.
Dated Yedo. April 16. 1862.

Legation
No: 14.

Recd 29. July. Mr Chetlain

Legation of the United States in Japan
Yedo. April 17. 1862.

Sir.

In my despatch of August 4th. 1860 (No. 28.) I had the honor to inform You, that Senhor Guimaraes, Governor General of Macao, and Envoy Extraordinary of His Majesty the King of Portugal, had signed a Treaty of Amity and Commerce between Portugal and Japan.

Senhor Guimaraes endeavored to reach this City in January last, for the purpose of exchanging the ratifications of the Treaty; but encountering very tempestuous weather, the Frigate, onboard of which he was a passenger, was compelled to return to China for repairs, and not wishing again to encounter similar perils, Governor Guimaraes in

The Honorable
Wm H. Seward.
Secretary of State
Washington.

the

the exercise of powers granted to him by his Sovereign, appointed Mr Edward Clarke, Portuguese Consul at Kanagawa, as Commissioner for the purpose of effecting the exchange of the ratifications in question.

As soon as Mr Clarke had announced his appointment to the Japanese Ministers for Foreign Affairs, they addressed a Circular Note to the various foreign diplomatic Agents, stating the fact of Mr Clarke's appointment, and inquiring whether it was proper for them to make the desired exchange with a person of his rank.

No 1 I transmit herewith No 1. translation
No 2 of the Note in question and No 2 copy of my reply to the same.

The French Minister and Dutch Consul General wrote in a sense corresponding with my views of the matter, but the British Minister strongly opposed it on the ground, that the exchange of ratifications could only be properly made by a person sent expressly on that Mission,

and

and who should be of higher rank than the Portuguese Consul.

The Japanese were now doubtful as to what course they should pursue, and would probably have refused to act with McClatchie, but I took the matter up, and at an interview with the Ministers, I convinced them of the wisdom of exchanging the Ratifications, without making any further difficulty.

The exchange was accordingly made at this Legation on the 8th. instant, and I transmit herewith No. 3, copy of a letter from the Portuguese Commissioner, expressive of his sense of the assistance I gave him in his business. No. 3

I have the honor to be, Sir,
Very Respectfully
Your most Obedient servant
Townsend Harris

Minister Resident in Japan.

Legation of the United States
Yedo. April 17. 1862
Townsend Harris
Minister Resident.

No. 14.
3 Enclosures.

Received

Exchange at this Legation
of the ratifications of the Treaty
between Portugal and Japan.

To His Excellency
Townsend Harris
Minister Plenipotentiary of the
United States of America &c. &c. &c.

We have to state to Your Excellency that about two Years ago a Treaty was concluded with the Portuguese Envoy and Plenipotentiary Isidoro Francisco Guimarel between Japan and Portugal; - and the time now approaches for exchanging the ratifications of that Treaty.

He recently sailed from Macao for that purpose, but owing to Storms and accidents he was prevented from coming to Japan and effecting his object.

We have now been informed; that for this reason the said Envoy Guimarel has authorized the Portuguese Consul Edward Clarke, residing at Kanagawa, to exchange the Ratifications of the Treaty for him - but according to the Custom of our Empire, we would observe, that such an arrangement would not be sufficiently Solemn, - however

we

Legation of the United States

We know little of the usages of foreign Countries, and therefore wish to be informed whether any precedent of a similar arrangement exists in Your Country or not.

We request You to reply to this at Your early convenience.

With respect and Esteem.—

On the 27th day of the 1st month of the 2nd Year of Bunkiu (25th February 1862).

(Signed) Kudze Yamato no Kami
Ando Tsushima no Kami.

—

US Legation in Japan.

Enclosure No. 1.
with despatch No. 17.
dated Yedo. April 17. 1862.

No. 14.

Legation of the United States in Japan
Yedo, February 26th 1862

To
Their Excellencies
Kudzé Yamato no Kami
Ando Tsushima no Kami
Ministers for Foreign Affairs
&c &c &c
Yedo.

I have the honor to acknowledge the receipt of Your letter of the 25th instant, in reference to the exchange of the ratifications of the Treaty made with Portugal.

The exchange of the ratifications of a Treaty is not so important an act as the making of it, and may therefore be done with less ceremony than is observed when the Treaty is made.

The person charged with the exchange of the ratifications cannot alter any of its Stipulations, or change them in any way whatever.

All

U.S. Legation in Japan,

All that he has to do is to see that the Copies of the Treaty are the same — and that the act of ratification has been properly authenticated; this being done, he has only to sign a paper setting forth those facts; — and his work is ended.

As Senhor Guimarel has been prevented by storms from coming here to exchange the ratifications, he had the power to authorize the Portuguese Consul to exchange them in his place; and I think You can, without any impropriety, appoint proper persons to exchange the ratified Treaty with him

Stated with respect and Courtesy.

(Signed) Townsend Harris
Minister Resident of the United States in Japan.

US Legation in Japan

Enclosure No. 2
with despatch No. 14.
Dated Yedo. April 17. 1862

Consulate of Portugal
Kanagawa. Japan. 15th April 1862.

Sir,

I have now the pleasure to beg, that You will accept my Sincere and heartfelt thanks for the generous and cordial assistance, which You have been pleased to render to me during my protracted negotiations with the Court of Yedo, since being charged with the Exchange of the ratifications of the Treaty between Their Majesties the King of Portugal and the Tycoon of Japan.

As You are well aware, this important transaction was happily concluded in Your presence, at the American Legation, in Yedo on the Eighth day of April 1862.

The Japanese Commissioner Takemoto Hayato no Kami expressed his thanks to You verbally in the name

of

of his Government, himself and Suite for the able and cordial assistance tendered by You in behalf of the Exchange of the Ratifications of a Treaty of Amity and Commerce between two Nations, with both of which Your own is on the most friendly footing.

I also had then this pleasure and now beg formally to renew to You the expression of my obligations to You as Minister Resident of the United States of America in Japan.

I beg also that You will kindly convey my hearty thanks to Your Secretary A. L. C. Portman Esq for his able services in this behalf.

I have now to inform You, that I shall have great pleasure in keeping the contents of this despatch to the knowledge of my Government:

I have the honor to be.

Sir.

Your Obedient Humble Servant

(Signed) Edward Clarke.

H M J M's Consul.

To

Townsend Harris Esqre

American Minister Resident

" " " "

Yedo.

Japan.

US Legation in Japan.

Enclosure No. 3.
with despatch No. 14
Dated Yedo. April 17. 1862

No. 15. Legt.

Legation of the United States in Japan.
Yedo. April 26. 1862.

Sir.

I have the honor to inform You that to day I had an audience of His Majesty the Tycoon for the purpose of delivering my letters of recall. On that occasion I addressed His Majesty as follows:

Sire:

In presenting my letters of recall, I am directed to renew to Your Majesty the assurance of the cordial friendship of the President of the United States, and of His sincere wishes for the health and happiness of Your Majesty, and for the prosperity of Your dominions.

The Honorable
Wm H Seward
Secretary of State
Washington.

US deputation in Japan,

I am also especially charged
, to assure Your Majesty of the
, anxious wish of my Government
, to strengthen and to draw more
, closely the ties of friendship now
, happily existing between the
" two Countries.

I assure Your Majesty
, that I shall carry with me,
, and always cherish a grateful
, recollection of the many acts
, of kindness and consideration
" that I have received during
, my long and eventful residence
, in Your Country; and that
, I shall never forget the important
" changes with which I have
" been connected. - or cease to
, pray for the happiness of
" Your Majesty and of Your
" people.

To which His Majesty replied as follows:

Have learned what You stated
, on delivering the letter; the friendship

between both countries shall increase more and more; Your long residence here must be wearisome."

The ceremonies that attended my audience were of the most honorable kind and entirely satisfactory in every respect.

I have the honor to be
Very Respectfully
Your Obedient Servant.

Townsend Harris
Minister Resident in Japan.

Legation of the United States.
Yedo. April 26. 1862.
Townsend Harris
Minister Resident.

No. 15.

No Enclosures.

Received.

Audience of Tycoon.
Letters of recall.

East

Ltd Legation. Yedo. May 6. 1862.

Sir,

I have the honor to transmit herewith my account of the Contingent fund of this Legation, the balance of which $ 311 70/100 I have this day paid over to my Successor Robert H Irwin Esquire

In the present account I have included some items for expenses attending Diplomatic intercourse for the reason, that I am now on my return home, and had no time to await your special instructions in this behalf.-

I shall embark for Shanghae on the 8th. instant, and from that place I shall proceed by the

The Honorable
Wm H. Seward.
Secretary of State
Washington.

Most